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7-8-86

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<hr/> 1-6-87 <hr/> S-01-87	AN ORDINANCE authorizing the City of Fort Wayne to make temporary loans for the use of the General Fund, the Park District Fund, the Police Pension Fund, and the Firemen's Pension Fund, in calendar year 1987 in anticipation of current taxes levied in the year 1986 and collectible in the 1987; authorizing the issuance of tax anticipation time warrants of the City to evidence those loans; pledging and appropriating the taxes to be received in those Funds to the payment of those tax anticipation time warrants including the interest thereon; and fixing a time when this Ordinance shall take effect	495
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S-11-87	AN ORDINANCE approving Contract for Water Res. #1035-86, GArden Park Drive Feeder Main, between T-G Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety	519
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BILL NO. S-86-06-27

SPECIAL ORDINANCE NO. S-108-86

AN ORDINANCE AUTHORIZING THE TEMPORARY
BORROWING BY THE CITY OF FORT WAYNE,
INDIANA, IN AN AMOUNT OF
\$2,000,000, FOR THE PURPOSES OF
TEMPORARILY FUNDING
NEIGHBORHOOD PUBLIC IMPROVEMENTS
IN ANTICIPATION OF THE
ISSUANCE OF GENERAL OBLIGATION BONDS

WHEREAS, this Common Council adopted Ordinance No. S-44-86 on March 25, 1986, which Ordinance authorized the issuance of \$8,000,000 aggregate principal amount of General Obligation Bonds of the City of Fort Wayne, Indiana, for the purpose of making neighborhood public improvements, and which Ordinance was submitted to the State of Indiana for approval by the State Board of Tax Commissioners; and

WHEREAS, the State Board of Tax Commissioners and the local government Tax Control Board has recommended the approval of said General Obligation Bonds upon submission by the City of Fort Wayne, Indiana, of a list of projects; and

WHEREAS, the City of Fort Wayne, Indiana, is in the process of developing a list of 1986 projects in the approximate sum of \$4,000,000; and

WHEREAS, some of the neighborhood public improvement projects have already begun and it is necessary to make payment for said projects prior to the issuance of the General Obligation Bonds referred to herein;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne, Indiana is hereby empowered and authorized to borrow the sum of \$2,000,000 on a temporary basis for the purpose of paying project costs for neighborhood public improvements which are to be permanently financed by the issuance of General Obligation Bonds authorized by Special Ordinance No. S-44-86, said borrowing to be in anticipation of the issuance of said General Obligation Bonds.

SECTION 2. The borrowing authorized herein shall be for a period not to exceed 120 days from the date of adoption of this Ordinance.

SECTION 3. The City Controller is hereby authorized and empowered to prepare and distribute a request for proposals, in such form as approved by the City Attorney, and to complete said borrowing with the most responsive and responsible

respondent to said request.

SECTION 4. The Mayor, City Controller, and such other members and officers of the City of Fort Wayne as are necessary are hereby authorized to execute all documents necessary to complete the above and foregoing borrowing, upon the approval of said documentation by the City Attorney.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approved by the Mayor's signature.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-108-86 on the 8th day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 8:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 9th day of July, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-06-28

SPECIAL ORDINANCE NO. S-109-86

AN ORDINANCE RATIFYING AND APPROVING THE
BORROWING BY THE BOARD OF PUBLIC WORKS
AND SAFETY ON BEHALF OF THE
CITY'S WATER UTILITY IN AN
AMOUNT OF \$3,500,000

WHEREAS, this Common Council adopted Ordinance No. S-256-85 on December 23, 1985, said Ordinance authorizing the borrowing by the Board of Public Works and Safety on behalf of the City's Water Pollution Control Utility in an amount of \$2,000,000 and the borrowing by the City's Water Utility in an amount of \$3,500,000; and

WHEREAS, said borrowing took place on December 30, 1985, said Board of Public Works and Safety are owing said sums from the Fort Wayne National Bank for a period of 183 days; and

WHEREAS, the City's Water Utility anticipates issuing Water Utility Revenue Bonds, but said bonds cannot be issued prior to the expiration of the current temporary borrowing;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne's Water Utilities is hereby empowered and authorized to borrow the sum of \$3,500,000 on a temporary basis for the purpose of repaying the temporary loan from Fort Wayne National Bank and in anticipation of the issuance of Water Utility Revenue Bonds, or extending the existing loan with Fort Wayne National Bank, which borrowing shall not exceed a period of 180 days from the date of this Ordinance.

SECTION 2. The borrowing referred to herein shall be negotiated by the City Controller and subject to final approval by the Board of Public Works and Safety and all actions of the Controller, Mayor, and Members of the Board of Public Works and Safety of the City of Fort Wayne, Indiana, relative to the execution of all documents necessary to complete the above and foregoing transaction, is hereby authorized, approved and ratified.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion, by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-109-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 8:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 9th day of July, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-06-21

SPECIAL ORDINANCE NO. S-110-86

AN ORDINANCE approving Civil City
Purchase Order #A-47943, with
Indiana Turf Equipment Corp., for the
Department of Parks and Recreation
of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order #A-47943,
between the City of Fort Wayne, by and through the Civil City
Purchasing Agent, and the Department of Purchasing with Indiana
Turf Equipment Corp., respectfully for:

the purchase of two (2) riding
rotary mowers for the Fort Wayne
Park Department, per specifications
in Reference #2831;

involving a total cost of Ten Thousand Six Hundred Fifty and
No/100 Dollars (\$10,650.00), all as more particular set forth in
said Purchase Order, which is on file in the Office of the
Department of Purchasing, and is by reference incorporated
herein, made a part hereof, and is hereby in all things ratified,
confirmed and approved.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, and any and all necessary
approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. 110-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-06-22

SPECIAL ORDINANCE NO. S-111-86

AN ORDINANCE approving the award of Bid Reference #1253 with respect to the 1986-1987 requirements for radio equipment (to be ordered as needed) by the Communications Department of City of Fort Wayne, Indiana, from The General Electric Company and Motorola C & E, Inc.

WHEREAS, the City's various departments have need for radio equipment throughout the year; and

WHEREAS, the Communications Department of the City, through the Department of Purchasing, purchases such radio equipment for the benefit of all City departments; and

WHEREAS, the City has let bids for such radio equipment and the successful bidders are The General Electric Company and Motorola C & E, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The awarding of Bid Reference #1253 to The General Electric Company and Motorola C & E, Inc., is hereby approved and ratified in all respects. The items to be purchased and the pricing for same are as described on the attached bid documents, made a part hereof, and two (2) copies of which are on file with the Office of the Department of Purchasing and are available for public inspection. Such radio equipment shall be ordered as needed by the Communications Department of the City.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-111-86 on the 8th day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July,
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-06-24

SPECIAL ORDINANCE NO. S-112-86

AN ORDINANCE approving Contract for Oswego Avenue Sanitary Sewer Repair - Res. 421-86, between the City of Fort Wayne, Indiana, by and through its Board of Public Works and Safety with Bercot, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for Oswego Avenue Sanitary Sewer Repair - Res. 421-86, between the City of Fort Wayne, Indiana, by and through its Board of Public Works and Safety with Bercot, Inc., for:

the following: Bounded on the South by Vance Avenue; bounded on the West by St. Joe River; bounded on the North by Sumerset Lane and bounded on the East by the East right-of-way line of Oswego Avenue. Repair #1 - Disconnect the existing 6' taps and connect same to proposed 8" local sanitary sewer that will connect to said existing interceptor manhole with backflow preventer as specified. Repair #2, - To locate and intercept an existing 6" sanitary sewer tap; disconnect same from 60" St. Joe Interceptor and install approximately 100 ± LF of 8" sanitary sewer, connect the 6" tap to same that will then connect to the existing manhole located over said 60" St. Joe Interceptor Sewer with a backflow preventer as specified. Said Sewer shall be 8" in diameter;

the Contract price is Thirty-Two Thousand Five Hundred and No/100 Dollars (\$32,500.00), all as more particularly set forth in said Contract, which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed, and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmdit, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-112-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-06-26

SPECIAL ORDINANCE NO. S-113-86

AN ORDINANCE approving Change Order No. 1 for Res. 6036-86 - Maumee River Bank Restoration with T-G Excavating, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Res. 6036-86 Maumee River Bank Restoration, with T-G Excavating, Inc., in connection with the Board of Public Works and Safety, for:

This project was to be constructed in the fall, but due to the amount of rain, rising river and then cold weather, the job could not be constructed until this spring. During the winter months and the high water, the banks at the river eroded and increased the area, therefore, the increase in the borrow and rip rap to cover the expanded size;

involving a net increase of Five Thousand Two Hundred Thirty and 16/100 Dollars (\$5,230.16), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Burns, Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: One

Bradbury

ABSENT: One

Henry

ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-113-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July,
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-05-33

GENERAL ORDINANCE NO. G-22-86

AN ORDINANCE AMENDING THE CODE OF
THE CITY OF FORT WAYNE, INDIANA OF 1974,
CHAPTER 21-1, 21-2 AND 21-3
WHICH ADOPTED THE COMPREHENSIVE PLAN FOR THE
CITY OF FORT WAYNE AS APPROVED BY
COUNCIL ON MAY 11, 1982, AND PROVIDED

WHEREAS, on May 11, 1982 the Fort Wayne City Plan Commission and Common Council of the City of Fort Wayne adopted a Comprehensive Plan for the City of Fort Wayne that promotes the orderly physical and economic development in the Fort Wayne Community, and provides for the promotion of public health, safety, morals, convenience, order and welfare in the process of development in accordance with the statutes of the State of Indiana; and,

WHEREAS, on _____ the Fort Wayne City Plan Commission recommended the adoption of an Amendment to that Comprehensive Plan; and,

WHEREAS, the required notice of public hearing by the Plan Commission has been published as required by law; and,

WHEREAS, the City Plan Commission in accordance with the Planning acts of the State of Indiana did hold a public hearing on the Amendment to the Comprehensive Plan; and,

WHEREAS, it is in the best interests of the City of Fort Wayne that such amendment be adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1: Chapter 21, Section 21-1, and 21-2 of the Code of the City of Fort Wayne are deleted and the following Sections are substituted:

"Sec. 21-1. That the Comprehensive Plan for the City of Fort Wayne contains data, text, maps, figures, and charts in one or more of the following sections: Cover Page, Table of Contents, List of Figures, Section I-Introduction, Section II-Background Information, Section III-Policies and Strategies, Section IV-Implementation, Appendix, the Urban Service Area: Generalized Land Use Map and the Southwest Sector Amendment."

"Sec. 21-2. That the Comprehensive Plan of Fort Wayne, Indiana, dated May 11, 1982 is amended by adding the Southwest Sector Amendment, April 21, 1986, which is hereby incorporated by reference and made a part of this ordinance and shall be in full force and effect from and after its passage and approval by Mayor and due publication."

Section 2. Other than as specifically set forth herein all other terms and provisions of Chapter 21 of the Code of the City of Fort Wayne shall be unchanged and shall remain in full force and effect.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Stier, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSENT: One

Henry

ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-22-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-06-12

GENERAL ORDINANCE NO. G-23-86

AN ORDINANCE amending the Thoroughfare Plan
of the City Comprehensive ("Master")
Plan by vacating a dedicated plat

WHEREAS, a petition to vacate a dedicated plat within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated plat within the City of Fort Wayne, more specifically described as follows, to-wit:

Lots 107 through 118, inclusive, in The Woodlands of Riverside as recorded in Plat Record 39, pages 78-80, in the Office of the Recorder of Allen County, Indiana.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSENT: One

Henry

ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-23-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-06-15

GENERAL ORDINANCE NO. G- 24-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a portion of public
right-of-way thereof

WHEREAS, a petition to vacate a portion of public
right-of-way within the City of Fort Wayne (as more
specifically described below) was duly filed with the City
Planning Commission; and

WHEREAS, said Commission was duly held a public
hearing thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in
I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation
of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to
vacate a portion of public right-of-way within the City of
Fort Wayne, more specifically described as follows, to-wit:

All that part of the right-of-way of Gay
Street which lies between the South
right-of-way line of Hayden Street and
the North right-of-way line of the
Norfolk & Western Railroad in the City
of Fort Wayne, Allen County, Indiana,
more particularly described as follows,
to-wit:

Beginning at the Northwest corner of Lot
#236 in Eliza Hanna Senior's Addition to
the City of Fort Wayne, the plat of
which is recorded in Deed Record 60,
pages 262 and 263 in the Office of the
Recorder of Allen County, Indiana;
thence West, on and along the Westerly
projection of the South right-of-way
line of Hayden Street, a distance of
50.04 feet to the Northeast corner of
Lot #238 in said Eliza Hanna Senior's
Addition; thence Southerly, be a
deflection angle left of 92 degrees 17
minutes on and along the East line
of said Lot #238, being also the West
right-of-way line of Gay Street, a
distance of 195.37 feet (recorded 195.15
feet) to the Southeast corner of said
Lot #238, being a point on the North
right-of-way line of the Norfolk and
Western Railroad; thence Easterly, by a
deflection angle left of 88 degrees 22
minutes, on and along said North
right-of-way line, a distance of 50.02
feet to the Southwest corner of said Lot
#236; thence Northerly, by a deflection
angle left of 91 degrees 38 minutes, on
and along the West line of said Lot a
distance of 194.8 feet to the point of
beginning, containing 9,755 square feet,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Bradbury, Burns, Eisbart, GiaQuinta, Schmidt,
Stier, Talarico

NAYS: One

Redd

ABSENT: One

Henry

ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-24-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-05-46

RESOLUTION NO. R-53-86

A RESOLUTION of the Common Council
setting forth the policy of the City
in regard to the annexation of
the Engle Ridge West Annexation

WHEREAS, the annexation of territory to the City
is a legislative function; and

WHEREAS, the Common Council is called upon in the
preparation of the City budget to provide for the furnishing
of municipal services to the entire City including newly
annexed areas; and,

WHEREAS, the Common Council has before it an
ordinance for the annexation of the Engle Ridge West
Annexation Area, more specifically described to-wit:

Part of the Southwest Quarter, Section
17, Township 30 North, Range 12 East;
part of the Northwest Quarter, Section
20, Township 30 North, Range 12 East and
part of the Southwest Quarter, Section
20, Township 30 North, Range 12 East, to
wit:

Beginning at the intersection of the
North right-of-way line of Engle Road
with the East line of the Southwest
Quarter of Section 17, Township 30
North, Range 12 East; thence South
along the East line of the Southwest
Quarter of Section 17 and the East line
of the Northwest Quarter of Section 20,
Township 30 North, Range 12 East to the
North right-of-way line of the Norfolk
and Western Railroad line; thence
Southwesterly along the North
right-of-way line of the Norfolk
and Western Railway Company in the
Northwest and Southwest Quarters of
Section 20 to the intersection of the
East right-of-way line of Smith Road;
thence Northerly along the East
right-of-way line of Smith Road to the
North right-of-way line of Engle Road,
thence East along the North right-of-way
line of Engle Road to the point of
beginning; area contains 169 acres,
more or less.

BE IT THEREFORE, RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

1. That in the case of the Engle Ridge West
annexation, it is the policy of the City of Fort Wayne to
follow the provisions of Section 1.1 of Chapter 2 of the
Municipal Code of the City of Fort Wayne, Indiana of 1974,
as amended, with regards to the provision of non-capital and
capital services to the annexation area.

2. That it is the policy of the City to follow
the annexation fiscal plan for said described territory as
prepared by the Division of Community Development and
Planning which is attached hereto and incorporated herein.

3. That said plan sets forth cost estimates of
the services to be provided, the methods of financing these
services, the plan for the organization and extension of

these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

4. Said plan is hereby approved and adopted by the Common Council and shall be in full force and effect upon the effective date of the annexation ordinance.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-53-86 on the 8th day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-06-23 (as amended)

RESOLUTION NO. R-54-86

A RESOLUTION of the Common Council
of the City of Fort Wayne,
Indiana, authorizing the City to enter
into an agreement
with the Department of Natural
Resources of the State of Indiana

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. the annexed Agreement, between the
City of Fort Wayne, Indiana, and the Department of Natural
Resources of the State of Indiana, is hereby approved and
ratified in all respects, as is the payment of monies
thereunder by the City, as the City's share of the cost of
the Study of the Junk Ditch Floodway Area not to exceed
\$9,000.00 (nine thousand dollars).

SECTION 2. The Director of the City's Public
Works is authorized and empowered to execute this Agreement
and the President of the Common Council is further
authorized to sign the Agreement evidencing passage and
approval by this Council.

SECTION 3. That this Resolution shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Resolution No. R-54-86 on the
8th day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 9th day of July, 1986, at the hour of
10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July,
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-06-05

ZONING MAP ORDINANCE NO. Z-08-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. G-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a POD (Professional Office District) under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974;

A tract of land located in Lagro Reserve, Township 30 North, Range 12 East, in Allen County, Indiana, and by metes and bounds described as follows, to-wit:

Commencing on the centerline of the public highway known as the Upper Huntington Road, and U.S. Highway #24, at a point situated 7 chains 50 links West of the East line of said Lagro Reserve; thence South 51 degrees, 30 minutes West, along the said highway centerline, a distance of 564.8 feet; thence South 38 degrees 30 minutes East, 340.4 feet; thence North 28 degrees 35 minutes, 162.88 feet; thence North 38 degrees 50 minutes East, 182 feet; thence North 49 degrees East, 141 feet to the West line of the East 6.50 chains of said Lagro Reserve; thence North on a line parallel to and 6.50 chains West of the East line of said Reserve, a distance of 240.0 feet to the Southeast corner of Lot 17 in Edsall's Subdivision of a portion of said Lagro Reserve as recorded in Deed Record 30, pages 160-161, of the official records of said county; thence West on the South line of lot aforesaid, a distance of one chain to the point of beginning, containing 3.32 acres of land, Subject to the public highway hereinabove mentioned, EXCEPT THE FOLLOWING:

Part of Lagro Reserve in Township 30 North, Range 12 East, (Wayne Township), Allen County, Indiana, more particularly described as follows, to-wit:

Beginning on the West line of the East 6.50 chains (429.0 feet) of Lagro Reserve at its intersection with the South line of Lot #17 in Edsall's Subdivision in Lagro Reserve (recorded in Deed Record 30, pages 160-161, in the Office of the Recorder of Allen County, Indiana); thence South 89 degrees 42 minutes West, (bearings based on Indiana State Highway Commission plans for U.S. Highway #24) on and along the South line of said Lot #17, a distance of 63.4 feet (recorded) 66 feet) to the centerline of U.S. Highway #24; thence South 51 degrees 30 minutes West on and along said

degrees 12 minutes 30 seconds East, 253.8 feet; thence North 38 degrees 38 minutes East, (recorded North 38 degrees 50 minutes East), 59.0 feet; thence North 48 degrees 48 minutes East (recorded North 49 degrees East), 141.0 feet to the West line of said East 6.50 chains); thence North 00 degrees 27 minutes West on and along said West line, 240.0 feet to the point of beginning, containing 1.345 acres of land, subject to U.S. Highway #24 right-of-way.

and the symbols of the City of Fort Wayne Zoning Map No. G-2, as established by Section 11 Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Henry
ABSTAINED: None

DATE: 7-8-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-08-86 on the 8th day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. X-86-05-45

ANNEXATION ORDINANCE NO. X-04-86

AN ORDINANCE annexing certain territory
commonly known as Engle Ridge West
Annexation Area to Fort Wayne
and including the same in
Councilmanic District No. 4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the following described
territory be, and the same is hereby, annexed to and made a
part of the corporation of the City of Fort Wayne, Indiana,
to-wit:

Part of the Southwest Quarter, Section
17, Township 30 North, Range 12 East;
part of the Northwest Quarter, Section
20, Township 30 North, Range 12 East and
part of the Southwest Quarter, Section
20, Township 30 North, Range 12 East, to
wit:

Beginning at the intersection of the
North right-of-way line of Engle Road
with the East line of the Southwest
Quarter of Section 17, Township 30
North, Range 12 East; thence South
along the East line of the Southwest
Quarter of Section 17 and the East line
of the Northwest Quarter of Section 20,
Township 30 North, Range 12 East to the
North right-of-way line of the Norfolk
and Western Railroad line; thence
Southwesterly along the North
right-of-way line of the Norfolk
and Western Railway Company in the
Northwest and Southwest Quarters of
Section 20 to the intersection of the
East right-of-way line of Smith Road;
thence Northerly along the East
right-of-way line of Smith Road to the
North right-of-way line of Engle Road,
thence East along the North right-of-way
line of Engle Road to the point of
beginning; area contains 169 acres,
more or less.

SECTION 2. It is the policy of the City of Fort
Wayne to furnish the above described territory within a
period of one (1) year from the effective date of
annexation, governmental services of a non-capital nature in
a manner which is equivalent in standard and scope to those
non-capital services provided to areas within the City which
have similar topography, patterns of land utilization and
population density to the said described territory. It is
also the policy of the City of Fort Wayne to provide
services of a capital improvement nature to the annexed
territory within three (3) years of the effective date of
annexation in the same manner as such services are provided
to areas already in the City with similar topography,
patterns of land utilization and population density, and in
a manner consistent with federal, state and local laws,
procedures and planning criteria.

SECTION 3. Governmental and proprietary services
will be provided to the above described territory in a
manner consistent with the written Fiscal Plan for the
territory developed by the Division of Community Development

and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of City Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. After its passage, approval by the Mayor, final publication, and required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect eith on December 31, 1986, or sixty days after the final publication whichever is later.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSENT: One

Henry

ABSTAINED: None

DATE: 7-8-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-86 on the 8th day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 14th day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-04-11 (AS AMENDED)

SPECIAL ORDINANCE NO. S-114-86

AN ORDINANCE concerning the construction of additions and improvements to, and the acquisition of equipment for, the sewage works of the City of Fort Wayne, the issuance of junior revenue bonds to provide funds for the cost thereof, the collection, segregation and distribution of the revenue of said works, the safeguarding of the interests of the holders of said junior revenue bonds, and other matters connected therewith and repealing ordinances inconsistent therewith

PLEASE NOTE:

THIS ORDINANCE MAY BE REVIEWED IN THE OFFICE THE CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Schmidt, Redd, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-114-86 on the 22nd day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-03

SPECIAL ORDINANCE NO. S-115-86

AN ORDINANCE approving the Contract for Res. 6045-86 - 1986 Asphalt Resurfacing Program - 1st Package, by the City of Fort Wayne, Indiana, with Wayne Asphalt & Construction, Co., Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for RES. 6045-86 - 1986 Asphalt Resurfacing Program - 1st Package, by the City of Fort Wayne, Indiana, with Wayne Asphalt & Construction, Co., Inc., in connection with the Board of Public Works and Safety, is hereby ratified and affirmed and approved in all respects. The work under said Contract requires:

the improvement by resurfacing and restoring pavement as designated on the following streets: (1) Tillman Road; (2) Speedway Drive; (3) Fulton Street; (4) Glencairn Drive; (5) Harrison Street; (6) Goshen Avenue; (7) Carew St.; (8) Dividend Road; (9) Investment Drive;

the Contract price is Four Hundred Forty-Eight Thousand One Hundred Seventy-Nine and 25/100 Dollars (\$448,179.25).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on June 24, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Henry, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-115-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

BILL NO. S-86-07-03

SPECIAL ORDINANCE NO. S-115-86

AN ORDINANCE approving the Contract for Res. 6045-86 - 1986 Asphalt Resurfacing Program - 1st Package, by the City of Fort Wayne, Indiana, with Wayne Asphalt & Construction, Co., Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for RES. 6045-86 - 1986 Asphalt Resurfacing Program - 1st Package, by the City of Fort Wayne, Indiana, with Wayne Asphalt & Construction, Co., Inc., in connection with the Board of Public Works and Safety, is hereby ratified and affirmed and approved in all respects. The work under said Contract requires:

the improvement by resurfacing and restoring pavement as designated on the following streets: (1) Tillman Road; (2) Speedway Drive; (3) Fulton Street; (4) Glencairn Drive; (5) Harrison Street; (6) Goshen Avenue; (7) Carew St.; (8) Dividend Road; (9) Investment Drive;

the Contract price is Four Hundred Forty-Eight Thousand One Hundred Seventy-Nine and 25/100 Dollars (\$448,179.25).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on June 24, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Henry, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-115-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-04

SPECIAL ORDINANCE NO. S-116-86

AN ORDINANCE approving the Contract for Res. 6046-86 - 1986 Asphalt Resurfacing Program - 2nd Package, by the City of Fort Wayne, Indiana, with S. E. Johnson Companies, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for Res. 6046-86 - 1986 Asphalt Resurfacing Program - 2nd Package, made a part hereof, by the City of Fort Wayne, with S. E. Johnson Companies, Inc., in connection with the Board of Public Works and Safety, is hereby ratified and affirmed and approved in all respects. The work under said Contract requires:

the following - to improve by resurfacing and restoring pavement as designated on the following streets:
(1) Putnam Street; (2) Burgess Street;
(3) Rosemont Drive; (4) Wayne Street;
(5) Second Street; (6) Third Street;
(7) Webster Street; (8) Spring Street;
(9) High Street; (10) Jefferson Blvd.;
(11) Washington Blvd.; (12) Butler Road; (13) Harrison Street;

the Contract price is Five Hundred Forty-Five Thousand Five Hundred Sixty-One and 40/100 Dollars (\$545,561.40).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on June 24, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Henry,
seconded by Eisbart, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City
of Fort Wayne, Indiana, as Special Ordinance No. S-116-86 on the
22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 23rd day of July, 1986, at the hour of 11:00
o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me tthis 23rd day of July, 1986,
at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-05

SPECIAL ORDINANCE NO. S-117-86

AN ORDINANCE approving the Contract for rEs. 6047-86 - 1986 Asphalt Resurfacing Program - 3rd Package, by the City of Fort Wayne, Indiana, with Wayne Asphalt & Construction Co., Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for Res. 6047-86 - 1986 Asphalt Resurfacing Program - 3rd Package, made a part hereof, by the City of Fort Wayne, with Wayne Asphalt & Construction Co., Inc., in connection with the Board of Public Works and Safety, is hereby ratified, affirmed and approved in all respects. The work under said Contract requires:

Improvement by resurfacing and restoring pavement as designated on the following streets: (1) Rudisill Blvd.; (2) Eckart St.; (3) Reed Street; (4) Weisser Park Avenue; (5) Packard Avenue; (6) Avondale Drive; (7) Hanna Street; (8) Anthony Blvd.; (9) Standish Drive;

the Contract price is Four Hundred Seventy-Nine Thousand Eight Hundred Forty-Three and 36/100 Dollars (\$479,843.36).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on June 24, 1986. Two (2) copies of said Contract are on file in the Office of the City Clerk and are available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Henry, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-117-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort

Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-06

SPECIAL ORDINANCE NO. S-118-86

AN ORDINANCE approving City Utilities Purchase Order #A-53692 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Lincolnway International Trucks, Inc., for the City Utilities Garage

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-53692, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Lincolnway International Trucks, Inc., for the City Utilities Garage, respectfully for:

the purchase of a 1986 Tandem Axle Cab & Chassis, per the specifications in reference #787 for the City Utilities Garage;

involving a total cost of Forty-Seven Thousand Fifty-Two and No/100 Dollars (\$47,052.00), all as more particularly set forth in said Purchase Order and specifications, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved, subject to financing through the City Equipment Lease program as provided for in Ordinance S-174-84.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-118-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986,
at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-07

SPECIAL ORDINANCE NO. S-119-86

AN ORDINANCE approving the Contract for Sanitary Sewer Res. #899-86 - Ludwig Circle, by the City of Fort Wayne, Indiana with Land Excavating, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Sanitary Sewer Res. #899-86 - Ludwig Circle, by the City of Fort Wayne, Indiana with Land Excavating, Inc., in connection with the Board of Public Works and Safety, for:

the elimination of pollution within the immediate area as described: The South One Half (1/2) of the Northeast Quarter (1/4) of Section 14, Township 31 North, Range 12 East in Allen County, Indiana, except the North 663.8' of the East 792.9' of said South One-Half (1/2) of the Northeast Quarter (1/4) of Section 14, Township 31 North, Range 12 East, Allen County, Indiana. This is a Barrett Law Revolving Fund project.

the Contract price is One Hundred Thirty-Five Thousand Four Hundred Twenty-Four and 85/100 Dollars (\$135,424.85), all as more particularly set forth in said Contract, and which is on file with the Office of the Board of Public Works and Safety and is, by reference, incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Burns, Bradbury, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-119-86 on the 22nd day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-08

SPECIAL ORDINANCE NO. S-120-86

AN ORDINANCE approving Change Order No. 1, Woodhurst-Belmont, Phase I, Res. 417-85, Sewer Project, with All Star Construction, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Woodhurst-Belmont, Phase I, Res. 417-85, Sewer Project, with All Star Construction, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana, for:

This Change Order is necessary because during the course of bidding for subject project, we were in constant negotiations with four property owners in order to obtain easements and right-of-entry to lessen the cost of subject project. The City of Fort Wayne was unable to obtain said right-of-entry and easements from all four property owners in a satisfactory manner. Therefore, the City relocated subject storm sewer within the public right-of-way. This relocation caused a re-alignment of the centerline of the storm sewer making it necessary to install the structures proposed on this change order;

involving a net increase of One Thousand Nine Hundred Thirty-Six and 86/100 Dollars (\$1,936.86), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-120-86 on the 22nd day of July, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-09

SPECIAL ORDINANCE NO. S-121-86

AN ORDINANCE approving Change Order IV-2 Res. 408-85, Southwest Interceptor S-2, with Land Excavating, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order IV-2, Resolution 408-85, Southwest Interceptor S-2, with Land Excavating, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana, for:

This Change Order is necessary because of the following: items 2 & 3, special manholes, incorporated into Item 4, standard 60" manholes, as approved by Water Pollution Control Engineering Department. Item 17A, sheet piling, was waived by the County Surveyors Office in lieu of Item 19A, rip rap. Items 20A, 21A, 22A and 25A were requested by the respective governing agencies subsequent to letting the original contract. Item 23A, base stabilization, is due to an unanticipated sand vein encountered approximately 600' north of Suter Drain. All other increases, decreases and extras are the result of easement agreements made subsequent to letting the original contract;

involving a net increase of One Thousand Three Hundred Twenty-Six and 33/100 Dollars (\$1,326.33), all as more particularly set forth in specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-121-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-10

SPECIAL ORDINANCE NO. S-122-86

AN ORDINANCE approving Change Order
No. 1, Summit Industrial Park -
Res. 74-150-2, with Fleming Excavating
Inc., in connection with the Board
of Public Works and Safety of the
City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Summit
Industrial Park - Res. 74-150-2, with Fleming Excavating,
Inc., in connection with the Board of Public Works and
Safety of the City of Fort Wayne, Indiana, for:

This Change Order reflects the final quantities and costs due Fleming Excavating, Inc., for their work performed on Phase I thru Phase V of this project. The original award of contract did not allow development of the entire Summit Industrial Park as originally proposed. By using prudent and sound engineering and management practices we were able to utilize what surplus money was available from the original EDA Grant in combination with the allotted contingency funds previously set aside, as well as minimal reductions in landscape units to expand the utilities to serve the entire site and improve the overall transportation system. These changes provide utilities to an additional 20 ± acres of development as well as an improved transportation system. Operation and maintenance costs are approximately \$4,100.00 per year until 75% of the Summit Park properties are sold. These changes will facilitate and expedite the sale of the presently unsold properties and reduce the City's cost in maintaining the infrastructure for this development;

involving a net increase of One Hundred Forty-Four Thousand Fifty-One and 42/100 Dollars (\$144,051.42), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City
of Fort Wayne, Indiana, as Special ORDinance No. S-122-86, on the
22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 23rd day of July, 1986, at the hour of 11:00
o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986,
at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-11

SPECIAL ORDINANCE NO. S-123-86

AN ORDINANCE approving City Utilities Purchase Order #A-53691 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Lincolnway International Trucks, Inc., for the City Utilities Garage

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-53691, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Lincolnway International Trucks, Inc., for the City Utilities Garage, respectfully for:

the purchase of four (4) tandem axle cab and chassis, per the specifications in reference #793 for the City Utilities Garage;

involving a total cost of Two Hundred Five Thousand Nine Hundred Ninety-Six and 84/100 Dollars (\$205,996.84), all as more particularly set forth in said Purchase Order and specifications, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved, subject to financing through the City Equipment Lease Program as provided for in Ordinance S-174-84.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-123-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July,
1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-01 (as amended) (as amended)

SPECIAL ORDINANCE NO. S-124-86

AN ORDINANCE fixing the salaries of each and every appointed officer, employee, deputy assistant, departmental and institutional head of the Civil City and City Utilities of the City of Fort Wayne, Indiana for the year 1987

WHEREAS, the Mayor and the Common Council of the City of Fort Wayne, Indiana, have according to the powers outlined in IC 36-4-7-3 and IC 36-8-3-3(d) assigned to each employee of the Civil City of Fort Wayne and of City Utilities of Fort Wayne a Labor Grade under the City Classification System established by Ordinance No. S-34-73 and subsequently modified and improved, which grades should accurately reflect the duties and responsibilities of said employees, and

WHEREAS, the Mayor of the City of Fort Wayne has recommended a maximum salary level for each labor grade in a systematic way, reflecting sound compensation planning and the effects of competitive pressures, and

WHEREAS, the Common Council must assure that salaries reflect the duties and responsibilities assigned to each employee, and to be certain that such salaries are fair and equitable, and

WHEREAS, the funds for such salaries are to be provided for the 1987 City Budget and from City Utilities operating funds and other sources as may be specified by the Common Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That all employees of the Civil City of Fort Wayne and of City Utilities, shall be classified by the departments, titles and labor grades herein designated, and that no changes be made in any labor grade without the specific approval of the Common Council except for those brought about by collective bargaining with authorized representatives of City or Utilities employees in accordance with the existing collective bargaining agreements.

SECTION 2. That the following scale of Maximum Salaries is hereby fixed and authorized as a ceiling for approved labor grades. This maximum will not be exceeded, except for approved shift differentials, overtime pay or technical skill pay specifically enumerated in this Ordinance, required by the Federal Wage and Hours Act (29 U.S.C. Sections 201-19) or in collective bargaining agreements approved by Common Council. It is understood that such discretionary payments are hereby approved and made a part of this Ordinance and are established and fixed by this Council.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF IN ITS ENTIRETY

This scale, as reflected on Exhibit "A", is an attempt to maintain an orderly, consistent and competitive pay policy and is based upon the application of results of salary surveys conducted in 1981, 1983 and 1986, as well as recommendations of a Common Council's 1984 Salary Study Committee. Actual adjustments in salaries within amounts fixed herein by Council will result from 1.) any general increase to be specified subsequent to adoption of this Ordinance, and/or 2.) any adjustment to the base pay for

an individual's labor grade, and/or 3.) progression to a level specified in an approved collective bargaining agreement between the City of Fort Wayne and a recognized employee representative organization.

SECTION 3. The following is a true and complete listing of all City and Utilities salaried non-bargaining unit positions by Department, Position Title and Labor Grade. It does not include those positions which are specified as part of a bargaining unit having a written economic agreement with the City or Utilities. Such positions and titles being included in this Ordinance by reference to those economic agreements negotiated by the City Labor Relations Director and approved by Common Council.

LABOR GRADE	TITLE
MAYOR'S OFFICE	
19	Staff Director
17	Administration Assistant
15	Executive Assistant
8	Executive Secretary VIII
7	Receptionist
FINANCE AND ADMINISTRATION	
19	Director of Finance and
Administration	
18	Deputy Controller
16	Telecommunications Manager
15	Accounting Systems Manager
14	Administrator - Federal Funds
12	Administrative Assistant
9	Executive Secretary IX
UC \$28,522	
(not to exceed)	Council Attorney
ECONOMIC DEVELOPMENT	
19	Director
18	Assistant Director
15	Sr. Finance Specialist
15	Sr. Business Development Specialist
13	Finance Specialist
13	Business Development Specialist
13	Redevelopment Specialist
11	Asst. Business Development
Specialist	
10	Bookkeeper/Accountant
8	Executive Secretary VIII
6	Secretary VI
4	Secretary IV
3	Secretary/Receptionist
METRO HUMAN RELATIONS COMMISSION	
17	Executive Director
15	Deputy Director
15	Staff Attorney
12	Chief Investigator
7	Executive Secretary VII
CITY CLERK'S OFFICE	
12	Chief Deputy
10	Supervisor
5	Violations Citizen's Advocate

5	Executive Secretary/Bookkeeper
PUBLIC WORKS	
19	Director
16	Street and Fleet Dept. Director
12	Clerk to Board
12	Administrative Assistant
9	Executive Secretary IX
PUBLIC AFFAIRS	
16	Citizens Advocate
12	Minority Affairs Officer
9	Administrative Assistant
8	Assistant - Citizens Advocate
7	Executive Secretary VII
COMMUNITY DEVELOPMENT AND PLANNING	
19	Director
18	Deputy Director
16	Senior Planner
9	Office Manager
CONTRACT COMPLIANCE	
17	Compliance Administrator
10	Compliance Officer
7	Executive Secretary VII
SAFE HOUSING AND BUILDING STANDARDS	
17	SHAB Administrator
14	Enforcement Manager
12	Case System Manage
9	Enforcement Officer
9	Legal Assistant
6	Enforcement Records Specialist
6	Code Enforcement Service Specialist
STREET ENGINEERING	
16	Street Engineer
PUBLIC SAFETY	
19	Director
12	Administrative Assistant
12	Admn. Asst./Budget Analyst
8	Executive Secretary IX
POLICE CIVILIANS	
13	Chemist
13	Public Safety Records Supervisor
13	Director, Victim's Assistance
13	Neighborhood Specialist
11	Sr. Victim's Advocate
9	Records Bureau Technician
9	Child Safety Educator
8	Crime Analyst
6	Executive Secretary VI
3	Property Management Clerk
POLICE COMMAND	
17	Chief of Police
16	Assistant Chief
15	Deputy Chief
13	Captain

FIRE COMMAND

17	Fire Chief
16	Deputy Chief
15	Assistant Chief
13	District Chief
11	Public Information Officer
7	Executive Secretary VII

CIVIL DEFENSE

13	Civil Defense Director
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WEIGHTS AND MEASURES

11	Inspector
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COMMUNICATIONS

17	Chief of Communications
15	Supervisor of Operations
13	Supervisor of Dispatchers
13	Supervisor of Technicians
12	Electronics Technician
12	Asst. Supervisor of Dispatchers
9	Administrative Assistant

TRAFFIC ENGINEERING

16	Traffic Engineer
15	Assistant Traffic Engineer
14	Signal Superintendent
13	Sign and Marking Supervisor

LAW DEPARTMENT

UC \$29,141 (not to exceed)	City Attorney
UC \$16,741 (not to exceed)	Associate City Attorney
18	Staff Attorney
9	Legal Research Secretary

HUMANE SHELTER

14	Shelter Manager
12	Asst. Shelter Manager
11	Animal Control Supervisor
11	Animal Care Supervisor

PARKS AND RECREATION

18	Dir. of Parks and Recreation
17	Superintendent Parks
17	Superintendent Recreation
17	Superintendent Zoo & Veldt
17	Budget & Finance Manager
14	Horticulture - Conservatory Manager
14	Areas Maintenance Manager
13	Arborculture Manager
13	Engineer-Planner Manager
13	Sr. Citizens Center Manager
13	Buildings & Equipment Manager
13	Sports Facilities Manager
12	Arborculture Supervisor
12	Areas Maintenance Supervisor
12	Landscape Architect
12	Neighborhood Services Manager
12	Marketing Manager
12	Theatre Manager
12	Sports Services Manager
12	Office Manager
11	Supervisor - Floriculturalist
11	Sports Program Manager
11	Special Activities Manager
11	Golf Turf Manager
10	Recreation Center Supervisor
9	Program Coordinator
9	Zoo Curator/Ed. Specialist
9	Support Services Supervisor
5	Payroll Clerk

UC \$10,844

(not to exceed)

PARKING ADMINISTRATION

13	Parking Administrator
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STREET DEPARTMENT

15	Street Commissioner
13	Assistant Street Commissioner
12	Administrative Assistant
10	General Foreman

COMMUNITY SERVICES

19	Director
12	Administrative Assistant
11	Veterans Services Officer
8	Executive Secretary VIII

CITY UTILITIES

18	Director of Personnel
18	Director of Water Resources
18	City Engineer
18	Director of City Utilities Operations
18	Director of Transportation
17	Director of Labor Relations
17	Superintendent of Filtration Plant
17	Superintendent of WPC Treatment Plant
16	Superintendent of Maintenance
16	Chief of Water Engineer
16	Program Manager/Director
	Infrastructure Management System
16	Chief of WPC Engineer
16	Tech. Services Administrator
16	Purchasing Director
16	Mgr. - Data Processing
16	Chief Lighting/Permit Engineer
15	Assoc. Director of Personnel

15	Professional Engineer
15	Supervisor of Customer Services
15	Asst. Superintendent Water Filtration Plant
15	Supervisor of Industrial Waste & Sludge Operations
15	Assistant Chief Engineer
15	Project Manager - DP
15	Manager of Operations - WPC Plant
14	Superintendent of St. Lighting Warehouse
14	Systems Programmer
14	Supervisor of Water
Maint. Construction	
14	Supervisor of Water Maint. Service
14	Assistant Superintendent - WPC Maintenance
14	Systems Analyst
14	Programmer Analyst
14	Public Information Officer
14	Maintenance Foreman - Filtration
Plant	
14	EEO/AA Administrator
14	Engineering Supervisor
14	Supervisor of Maintenance - WPC Plant
14	Ass. Dir. of Labor Relations
13	Project Leader
13	Program Manager - WPC Plant
13	Supervisor of Gen. Accounting
13	Technical Supervisor
13	Supervisor of Payroll Services
13	Supervisor of Safety and Claims
13	Administrative Asst. - Customer
Services	
13	Admn. Asst. Operations
13	Administrative Services Center
Staff	
	Supervisor
12	General Foreman Water Maintenance
and	
	Service
12	General Foreman WPC Maintenance
12	Employment Specialist
12	Garage Supervisor
11	Assistant Supervisor - WPC Plant Maintenance
11	Safety Investigator
10	Administrative Assistant *X
10	Payroll Administrator
10	Office Manager - Personnel
10	Trainer/Coordinator
9	Administrative Assistant IX
9	Asst. Payroll Administrator
9	Secretary - Claims Investigator
7	Executive Secretary VII
7	Executive Clerical Secretary ASC
6	Purchasing Administrative Assistant
6	Executive Secretary VI
5	Executive Clerical Assistant ASC
5	Executive Secretary V
4	Executive Secretary IV

SECTION 4. The base pay and other compensation for patrolmen in the Fort Wayne Police Department is hereby established as provided in the attached Exhibit "B", made a part hereof, as reached through the collective bargaining process; police officers of the rank of Sergeant through Lieutenant inclusive are as established in attached Exhibit "C"; firefighters of the rank of Firefighter through

Captain are established in attached Exhibit "D". Furthermore, the following additions and modifications, developed through the Collective Bargaining Process, are hereby approved and thus modify the Basic Salary Ordinance:

- a. Police and Fire employees, as indicated herein, participate in Collective Bargaining on an annual basis with the City for economic conditions. Pursuant to State Statute such economic conditions must be approved by the Common Council. Such economic conditions include, but are not limited to, base pay and monetary fringe benefits. These matters will be negotiated by and between the City and the appropriate bargaining unit for the year 1987. Upon conclusion of such negotiations the appropriate Ordinances shall be submitted to the Common Council for approval.
- b. Patrolmen in the Police Department, hired after January 1981, shall receive an annual base pay as follows:
 - (1) For the first year (365 days), the patrolmen's base pay shall be eighty percent (80%) of the base pay of the first class patrolman;
 - (2) For the second year (365 days), the patrolmen's base pay shall be ninety percent (90%) of the base pay of a first class patrolman;
 - (3) For the third year (365 days) the patrolmen's base pay shall be ninety-five percent (95%) of the base pay of a first class patrolman.
- c. Only the base pay payable to Police and Fire Officers should be considered for Pension purposes. No other forms of compensation shall be construed, in any manner, as additions to the base salary of any Police and/or Fire officer within the meaning of any applicable Indiana Statute for Pension purposes or otherwise.
- d. Employees covered by recognized bargaining unit representatives (Unions) will receive a salary established by the Collective Bargaining process as long as this pay does not exceed the table of maximum salaries authorized in Section 2, above.

SECTION 5. From and after the first day of January 1987, all appointed officers, employees, deputies, assistants, departmental and institutional heads of the Civil City and City Utilities will be paid according to this, the above and following provisions of this ordinance, subject to budgetary limitations, collective bargaining agreements, future changes or amendments enacted by Common Council.

SECTION 6. As an amendment to Special Ordinance S-85-06-25 the following positions are created immediately;

MAYOR'S STAFF

COMMUNITY DEVELOPMENT & PLANNING

14 Enforcement Manager

BOARD OF PUBLIC WORKS

14 Signal Superintendent
13 Signal Foreman

PUBLIC SAFETY

13 Director, Victim's Assistance
13 District Chief/Fire
13 Supervisor of Technicians
11 Sr. Victim's Advocate

CITY UTILITIES

16 Program Manager/Director
Infrastructure Management System
14 Systems Programmer
13 Technical Supervisor
13 Programs Manager/WPC Plant
12 General Foreman/W.M. & S.
12 General Foreman/WPC Maintenance
10 Trainer/Coordinator

SECTION 7. That all Departments subject to this Ordinance will conform to the Official City Personnel Policies and Procedures relating to hiring, pay, and other related practices, approved by the Mayor and administered by the City's Personnel Department.

SECTION 8. If any section, clause, sentence, paragraph or part or provisions of this Ordinance be found invalid or void by a Court of competent jurisdiction, it shall be conclusively presumed that this Ordinance would have passed by the Common Council without such invalid section, clauses, paragraph, part or provisions, and the remaining parts of the Ordinance will remain in effect.

SECTION 9. The Municipal Code of the City of Fort Wayne references, in condification form, salary ordinances previously adopted by the Council Counsel for past years. Such salary ordinances have a duration of one year and thus, with the exception of the 1986 salary ordinance, have expired. However, to avoid confusion, it is hereby stated that commencing January 1, 1987, any conflict between the terms and conditions hereof and any previous ordinance shall be resolved in favor of this ordinance.

SECTION 10. Two copies of all attachments and Exhibits referred to in this Ordinance shall be kept on file with the City Clerk of Fort Wayne for the purpose of public inspection.

SECTION 11. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: One
Burns
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-124-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-07-15

RESOLUTION NO. R-55-86

RESOLUTION
DESIGNATING PROJECTS FOR INCLUSION
IN THE CITY OF FORT WAYNE, INDIANA'S
NEIGHBORHOOD PUBLIC IMPROVEMENT PROGRAM,
SPECIFYING WHICH PROJECTS ARE TO BE FUNDED
THROUGH THE NEIGHBORHOOD IMPROVEMENT BOND,
AND APPROVING OTHER ACTIONS IN CONNECTION
THEREWITH

WHEREAS, the City of Fort Wayne, Indiana has embarked upon Neighborhood Public Improvement Program, a portion of which is to be funded through the issuance of Eight Million Dollars (\$8,000,000) in General Obligation Bonds of the City of Fort Wayne, said Bonds having been approved by this Common Council upon the petition of the taxpayers of the City, and which Neighborhood Public Improvement Program will include construction, reconstruction and repair of streets, thoroughfares and sidewalks, installation of streetlights and other public improvements; and

WHEREAS, the City has chosen projects to be completed during 1986 and for purposes of issuing a portion of the \$8,000,000 General Obligation Bonds, desires to designate said projects by Resolution; and

WHEREAS, the State Board of Tax Commissioners, has requested that a Resolution designating the projects to be paid for out of the proceeds of the General Obligations Bonds be adopted by this Common Council; and

WHEREAS, Phase I of the Neighborhood Public Improvement Program will require the issuance of Four Million Four Hundred Eighty Thousand Dollars (\$4,480,000) of General Obligations Bonds;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council and the City of Fort Wayne, Indiana, hereby reaffirms the Neighborhood Public Improvement Program and the issuance of Eight Million Dollars (\$8,000,000) of General Obligation Bonds to help pay the costs thereof.

SECTION 2. Upon the recommendation of the City, this Common Council hereby designates the projects listed on the attached Exhibit "A", which exhibit is hereby made a part of this Resolution, as the projects to be included in Phase I of the Neighborhood Improvement Program.

SECTION 3. This Common Council hereby resolves that Four Million Four Hundred Eighty Thousand Dollars (\$4,480,000) of the costs to be incurred in Phase I of the Neighborhood Public Improvement Program shall be paid out of the proceeds of the sale of \$4,480,000 of General Obligation Bonds of the City of Fort Wayne, previously authorized and approved by this Common Council and the Mayor.

SECTION 4. This Common Council hereby reaffirms its commitment to the Neighborhood Public Improvement Program, and hereby expresses its intent to approve additional phases of the Neighborhood Public Improvement Program, and further, its intent to issue the balance of the \$8,000,000 General Obligation Bonds to pay for a portion of said program.

SECTION 5. This Resolution shall be forwarded to

the State Board of Tax Commissioners.

SECTION 6. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: One
Burns
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-55-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-85-11-65

GENERAL ORDINANCE NO. G-25-86

AN ORDINANCE amending the Thoroughfare Plan
of the City Comprehensive
("Master") Plan by vacating a
portion of a street

WHEREAS, a petition to vacate a portion of a street within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission has held a public hearing thereon, and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of public street within the City of Fort Wayne, more specifically described as follows, to-wit:

That portion of Randolph Street, 50 feet wide, lying along the South line of Lot 22 and part of Lot 23 in Eckart's Addition Continued and Lots 13 through Lot 20 in Eckart's Addition, being a part of the Southeast quarter, Section 35, Township 31 North, Range 13 East, in Allen County, Indiana, by metes and bounds described as follows, to-wit:

Beginning at the intersection of the North line of Randolph Street (50 feet wide) by the West line of Spy Run Avenue (50 feet wide, City Record), thence West on the North line of said Randolph Street, a distance of 660.0 feet to the East line of that part of Randolph Street vacated by Allen Circuit Court Cause No. 36808; then South along the East line of vacated Randolph Street by a deflection left of 84 degrees 03 minutes, a distance of 50.2 feet; to the South line of Randolph Street; thence East along the South line of Randolph Street to the West line of Spy Run Avenue, a distance of 665 feet; thence Northwesterly along the West line of Spy Run Avenue to the point of beginning;

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Charles B. Redd

Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
 Bradbury, Burns, Eisbart, GiaQuinta, Henry,
 Redd, Schmidt, Stier, Talarico
 NAYS: None
 ABSTAINED: None
 ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-25-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
 City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
 City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
 Mayor

BILL NO. G-86-06-11

GENERAL ORDINANCE NO. G-26-86

AN ORDINANCE amending the Thoroughfare Plan
of the City Comprehensive ("Master") Plan
by vacating a street thereof

WHEREAS, a petition to vacate a public street within the City of Fort Wayne (as more specifically described as below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a public street within the City of Fort Wayne, more specifically described as follows, to-wit:

Beginning at the Southwest corner of Lot 108, the Woodlands of Riverside, an addition to the City of Fort Wayne as recorded in Plat Book 39, Pages 78-80, said corner being located N 82 degrees 53 minutes 14 seconds W a distance of 246.05 feet from the East line of said addition; thence N 0 degrees 08 minutes 15 seconds W along the West line of Lot 108 a distance of 65.0 feet; thence Northwesterly along the Northwesterly line of Lot 108 along a non-tangent curve having a radius of 50.0 feet a distance of 41.04 feet; thence continuing along the aforescribed curve Easterly and Northerly along the Westerly line of Lot 109, the Woodlands of Riverside, a distance of 65.05 feet; thence continuing along the aforescribed curve Northerly and Westerly along the Southerly line of Lot 110, the Woodlands of Riverside, a distance of 57.74 feet; thence continuing along the aforescribed curve Westerly and Southerly along the Southeasterly line of Lot 111, the Woodlands of Riverside, a distance of 46.22 feet; thence continuing along the aforescribed curve Westerly and Southerly along the East line of Lot 112, the Woodlands of Riverside, a distance of 25.11 feet to a point of tangency; thence S 0 degrees 08 minutes 15 seconds E along the East line of Lots 112 and 113, the Woodlands of Riverside, a distance of 114.93 feet to the Southeast corner of said Lot 113; thence N 89 degrees 50 minutes 26 seconds E a distance of 26.52 feet; thence S 82 degrees 53

feet to the Southwest corner of said Lot 108 and the point of beginning.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-06-14

GENERAL ORDINANCE NO. G-27-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof

WHEREAS, a petition to vacate a public alley within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a public alley within the City of Fort Wayne, more specifically described as follows, to-wit:

The north/south alley bounded by Wallace Street on the north, Masterson Street on the south, the east by Lots 143, 144, 145, 146, 147 and 148 of Hamilton's Fourth Addition and West by Lots 142 and 149 of Hamilton's Fourth Addition, an addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record 69, page 397, in the Office of the Recorder of Allen County, Indiana.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 7-22-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana, as General Ordinance
No. G-27-86 on the 22nd day of July, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 23rd day of July, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 23rd day of July,
1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-06-08

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. R-38

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an R-3 (Multi-Family Residential) District
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

Lot #22 in Hoffman's Subdivision,

and the symbols of the City of Fort Wayne Zoning Map No.
R-38, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval by
the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Redd, and duly adopted, placed on its
passage. LOST by the following vote:

AYES: None

NAYS: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

ABSTAINED: None

ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

BILL NO. Z-86-06-07

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. E-3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B (Limited Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot 232 together with Lot 233 in County Club Terrace Addition, Section "A" as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana, together with the east half of vacating Sheffield Drive adjacent on the west. Deed Recording Document Number 86-012524,

and the symbols of the City of Fort Wayne Zoning Map No. E-3 as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. LOST by the following vote:

AYES: None

NAYS: Nine

Redd, Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Schmidt, Stier, Talarico

ABSTAINED: None

ABSENT: None

DATE: 7-22-86

Sandra E. Kennedy
City Clerk

BILL NO. S-86-07-14

SPECIAL ORDINANCE NO. S-125-86

AN ORDINANCE AMENDING SPECIAL ORDINANCE
NO. S-44-86 AUTHORIZING THE ISSUANCE OF
\$8,000,000 AGGREGATE PRINCIPAL
AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY
OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF
MAKING NEIGHBORHOOD PUBLIC IMPROVEMENTS
(MUNICIPAL BONDS OF 1986); REQUIRING
THE CITY TO COMPLY WITH PROVISIONS OF
PENDING FEDERAL TAX LEGISLATION IF NECESSARY;
PROVIDING FOR THE DESIGNATION OF A BOND REGISTRAR,
TRANSFER AGENT AND PAYING AGENT; AND
APPROVING AND AUTHORIZING OTHER ACTIONS IN
CONNECTION THEREWITH

WHEREAS, the City of Fort Wayne, Indiana, is a municipal corporation and political subdivision in the State of Indiana, and by virtue of the laws in the State of Indiana, including Indiana Code, Title 36, Article 4, Chapter 6, Section 19 is authorizing and empowered to make loans of money for any proper governmental purpose and to provide the repayment of said loans by the issuance of General Obligation Bonds, subject to the provisions of Indiana law, including I.C. 6-1.1-20; and

WHEREAS, a petition signed by more than fifty (50) owners of real property subject to taxation and located in the City of Fort Wayne, Indiana, and certified by the Allen County Auditor has been filed with this Common Council as provided for in I.C. 6-1.1-20-3, requesting this Council to authorize the issuance of the City of Fort Wayne, Indiana, Municipal Bonds of 1986 in an amount not to exceed \$8,000,000 for the purpose of financing the costs of construction, reconstruction, and repair of certain streets, thoroughfares, and sidewalks in said City, installation of street lights, and for such other public improvements as determined by the Board of Public Works and Safety of the City of Fort Wayne, Indiana, together with all expenses necessarily incurred in connection with the issuance of said bonds; and

WHEREAS, in response to said petition, and in accordance with law, this Council adopted on the 25th day of March, 1986, an ordinance authorizing the issuance of \$8,000,000 in aggregate principal amount of General Obligation Bonds of the City of Fort Wayne; and

WHEREAS, it has subsequently been determined that the public improvements contemplated to be financed through the issuance of said bonds shall be undertaken in two or more phases, only the first of which shall be completed during the year 1986; and

WHEREAS, it is now the intent of this Council to reduce the amount of bonds authorized to be issued for the first phase of the above-referenced public improvements to \$4,480,000;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Special Ordinance No. S-44-86 adopted on the 25th day of March, 1986, is hereby amended to the extent that the aggregate principal amount of the general obligation bonds of the City of Fort Wayne designated as the City of Fort Wayne, Indiana, Municipal Bonds of 1986 shall be \$4,480,000 and shall be authorized and issued as hereinafter set forth.

SECTION 2. The City of Fort Wayne, Indiana,

shall issue its General Obligation bonds in the aggregate principal amount of \$4,480,000, said bonds to be designated City of Fort Wayne, Indiana, Municipal Bonds of 1986. Said bonds shall be fully registered bonds, shall be issued in denominations of \$5,000, or any integral multiple thereof, shall be dated as of the first day of the month in which the bonds are sold, and shall bear interest at a rate or rates not exceeding ten (10) percent per annum, the exact rate or rates to be determined by the public sale of said bonds as authorized and directed by law. Interest on the bonds will be payable semi-annually on January 1 and July 1 of each year, beginning July 1, 1987. Said bonds shall mature on January 1 of each year as follows:

<u>DATE</u>	<u>AMOUNT</u>
1988	\$300,000
1989	\$330,000
1990	\$360,000
1991	\$390,000
1992	\$420,000
1993	\$450,000
1994	\$490,000
1995	\$530,000
1996	\$570,000
1997	\$640,000

Bonds maturing on January 1, 1995, and thereafter are redeemable at the election of the City, in inverse order of maturities, on July 1, 1994, or on any interest payment date thereafter, subject to a redemption premium of three (3) percent.

The principal, premium if any, and interest on the bonds shall be paid by check or draft, mailed or delivered to the registered holder thereof at his address as it appears on the registration books maintained by the City's Bond Registrar, except for the final payment which shall be made upon presentation of the bonds at the corporate trust office of said Bond Registrar.

SECTION 3. Said bonds shall be executed by the facsimile signature of the Mayor and attested by the facsimile signature of the City Controller and the Clerk who shall affix the Seal of the City thereto. The Bond Registrar shall manually authenticate each bond with the signature of its designated authorized representative.

SECTION 4. The Mayor is hereby authorized to designate a Bond Registrar, Transfer Agent, and Paying Agent for the bonds and is further authorized to enter into an agreement with said Bond Registrar, Transfer Agent, and Paying Agent, as is customary in the industry, said agreement to be subject to the approval of the City Attorney.

SECTION 5. Said bonds shall be advertised for public sale and sold in the manner provided by law, said sale to be held as soon as practicable after all approvals are obtained. The proceeds from the sale of said bonds, except the premium or accrued interest received, shall be paid into the proper fund and used for the purposes aforesaid and for no other purposes. The premium and accrued interest, if any, shall be applied to the payment of the principal of and interest on said bonds in the manner provided by law.

SECTION 6. Said bonds shall be the full general obligations of the City of Fort Wayne, Indiana, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. During the period said bonds remain unpaid and outstanding, there shall be and is

hereby levied on all the taxable property in the City, in addition to all other taxes, but within applicable limitations, a direct tax annually in an amount sufficient to pay the principal of and, premium if any, and interest on said bonds when and as the same fall due.

Said tax shall be and is hereby ordered levied and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of said years are collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, to be known as the "City of Fort Wayne 1986 Municipal Bond Fund," which, together with all interest collected on the same shall be irrevocable pledged for the payment and interest of said bonds when and as the same fall due, all as provided by law.

SECTION 7. This Common Council, for and on behalf of the City of Fort Wayne, Indiana, hereby covenants that it will restrict the use of the proceeds of the bonds hereby authorized in such a manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the bonds are issued, so that they will not constitute "arbitrage bonds" under Section 103(c) of the Internal Revenue Code and the regulations prescribed thereunder. Further, this Common Council is aware of two (2) bills pending in the Congress of the United States of America, one adopted December 17, 1985, by the U.S. House Representatives and designated House Bill 3838 and the other adopted June 24, 1986, by the United States Senate as an amendment to said House Bill 3838, which bills, if enacted by Congress, could place further restrictions on the issuance of the bonds authorized herein. This Common Council hereby authorizes the Mayor, the Controller, or such other proper officer of the City to take all action necessary to assure compliance with the aforementioned bills so that the bonds issued herein will not constitute "arbitrage bonds" or will not lose their tax-exempt status. The Mayor or Controller or the proper officer having responsibility with respect to the issuance of said bonds is authorized and directed to give an appropriate certificate or certificates on behalf of the City on the date of delivery of said bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds of said bonds and their compliance with the provisions of Section 103(c) of the Internal Revenue Code and the regulations promulgated thereunder.

SECTION 8. It is hereby found and determined that all formal actions of this Common Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Council and any of its committees, which meetings were held in compliance with all legal requirements including Section 5-14-1.5-1 et seq. of the Indiana Code.

SECTION 9. This Common Council hereby reaffirms its intention to authorize the issuance of the full \$8,000,000 of General Obligation bonds authorized by Ordinance No. S-44-86. The balance of said bonds shall be issued upon passage of an ordinance authorizing same.

SECTION 10. This Ordinance shall be effective from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

seconded by Redd, Read the third time in full and on motion by Redd, by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bradbury, Burns, Eisbart, Henry, Redd, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: Two
GiaQuinta, Schmidt

DATE: 8-6-86 Nadejda Eshcoff
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-125-86 on the 5th day of August, 1986.

ATTEST: (SEAL)

Nadejda Eshcoff Samuel J. Talarico
Deputy Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of August, 1986, at the hour of 8:30 o'clock A.M., E.S.T.

Nadejda Eshcoff
Deputy Clerk

Approved and signed by me this 6th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. A-86-07-16

APPROPRIATION ORDINANCE NO. A-03-86

AN ORDINANCE appropriating monies into depleted accounts for the 1986 budgets of various funds and departments of the City, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 1986

WHEREAS, an emergency exists for the appropriation of additional monies to the 1986 budgets of various departments to provide sufficient operating funds for the remainder of 1986; and

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the funds specified and in the appropriations of certain departments as specified; and

WHEREAS, such appropriations and transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	
Park Dept. 90,000	4111	Salaries & Wages	\$
	4314	Consultant Fees	\$
10,000	4382	Interest	\$
56,600	4444	Equipment	
<u>\$100,000</u>		TOTAL	
\$256,600			
Street Dept. \$146,950	4111	Salaries & Wages	
	4342	Insurance	\$
62,250	4362	Repairs to Equipment	\$
<u>60,000</u>		TOTAL	
\$269,200			
Bond Repay- ment 79,200	4382	Interest	\$
Rev. Sharing	4399	Contractual Services	
\$800,000			
		TOTAL DEPARTMENTS	
\$1,405,000			

SECTION 2. That the following accounts of the various departments or funds listed below are hereby reduced in the following amounts respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Park General Fund \$256,600	121	Unobligated Balance
Bond Repayment Fund 79,200	201	Unobligated Balance \$
Revenue Sharing \$800,000	134	Unobligated Balance
NVH Fund \$269,200	128	Unobligated Balance

TOTAL REDUCTIONS

\$1,405,000

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-03-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

repeated on page 73

BILL NO. A-86-07-17

APPROPRIATION ORDINANCE NO. A-04-86

AN ORDINANCE transferring and appropriating monies from the unappropriated and unobligated balance in the Corporation General Fund to the 1986 budgets of various General fund departments and reducing budgets of certain General Fund departments to provide sufficient operating funds for the remainder of 1986

WHEREAS, an emergency exists for the appropriation of additional monies to the 1986 budgets of various departments to provide sufficient operating funds for the remainder of 1986; and,

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the General Fund and in the appropriation of certain General Fund departments; and,

WHEREAS, such appropriations and transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	
Mayor 1,200	4111	Salaries & Wages	\$
Controller 29,800	4111	Salaries & Wages	\$
	4382	Interest	
<u>\$531,600</u>			
\$561.400 City Clerk 17,700	4111	Salaries & Wages	\$
MHRC 6,650	4111	Salaries & Wages	\$
Brd. of Works & Safety 44,500	4111	Salaries & Wages	\$
Weights & Measures 1,100	4111	Salaries & Wages	\$
CD&P 27,200	4111	Salaries & Wages	\$
Law 6,500	4111	Salaries & Wages	\$
Street Engineering 22,500	4111	Salaries & Wages	\$
Traffic Engineering	4111	Salaries & Wages	\$

BILL NO. A-86-07-17

APPROPRIATION ORDINANCE NO. A-04-86

AN ORDINANCE transferring and appropriating monies from the unappropriated and unobligated balance in the Corporation General Fund to the 1986 budgets of various General fund departments and reducing budgets of certain General Fund departments to provide sufficient operating funds for the remainder of 1986

WHEREAS, an emergency exists for the appropriation of additional monies to the 1986 budgets of various departments to provide sufficient operating funds for the remainder of 1986; and,

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the General Fund and in the appropriation of certain General Fund departments; and,

WHEREAS, such appropriations and transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	
Mayor 1,200	4111	Salaries & Wages	\$
Controller 29,800	4111	Salaries & Wages	\$
	4382	Interest	
<u>\$531,600</u>			
\$561.400 City Clerk 17,700	4111	Salaries & Wages	\$
MHRC 6,650	4111	Salaries & Wages	\$
Brd. of Works & Safety 44,500	4111	Salaries & Wages	\$
Weights & Measures 1,100	4111	Salaries & Wages	\$
CD&P 27,200	4111	Salaries & Wages	\$
Law 6,500	4111	Salaries & Wages	\$
Street Engineering 22,500	4111	Salaries & Wages	\$
Traffic Engineering	4111	Salaries & Wages	\$

59,800

Police	4111	Salaries & Wages
\$543,400		
	4231	Gasoline
\$140,700		
	4362	Repairs to Equipment
<u>\$200,000</u>		

\$884,100

Emergency Services	4111	Salaries & Wages	\$
1,250			
Communications	4111	Salaries & Wages	\$
85,000			
	4362	Repairs to Equipment	\$
<u>40,000</u>			

\$125,000

Public Affairs	4111	Salaries & Wages	\$
9,000			
Community Services	4111	Salaries & Wages	\$
5,100			
		Supplies	\$
<u>4,000</u>			

TOTAL ALL DEPARTMENTS

\$1,777,000

SECTION 2. That the following accounts of the various departments listed below, and the unappropriated and unobligated balance of the General Fund, are hereby reduced in the following amounts respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Fire Dept. \$175,000	4111	Salaries & Wages
Corporate General Fund	010	Unobligated Balance
\$1,602,000		

TOTAL REDUCTIONS

\$1,777,000

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Bradbury

DATE: 8-12-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Appropriation Ordinance
No. A-04-86 on the 12th day of August, 1986.

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of August, 1986, at the hour
of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-12

SPECIAL ORDINANCE NO. S-126-86

ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "ECONOMIC
DEVELOPMENT REVENUE BOND, (INDIANA
COATINGS CORP. PROJECT)" AND APPROVING
OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Indiana Coatings Corp. Project regarding the financing of proposed economic development facilities for Indiana Coatings Corp. and the Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on July 17, 1986, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Indiana Coating Corp. complies with the purposes and provisions of I.C. 36-7-11.9 and 12 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission heretofore approved and recommended the adoption of this form of Ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, and Security Agreement, Note and Bond Purchase Agreement; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, and Security Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of a revenue bond, the loan of the proceeds of the revenue bond to Indiana Coatings Corp., (the "Company") for the acquisition of such facilities, the payment of the revenue bond by the note payments of the Company under the Loan Agreement and Security Agreement and Note, and the securing of said bond by the mortgaging of such facilities to be Bondholder complies with the purposes and provisions of I.C. 36-7-11.9 and 12 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The economic development facilities will consist of the acquisition of manufacturing equipment, to be used in the production of a high corrosion resistant finish, to be used in the manufacturing facility which the company will lease from William P. Baer, which facility will be located at 4301 Engle Road, in Fort Wayne, Indiana (the "Project").

SECTION 3. At the public hearing held by the Fort Wayne Economic Development Commission, the Commission considered whether the economic development facilities would have an adverse competitive effect on any similar facilities located in or near the City of Fort Wayne, and found, based on special findings of fact set forth in the Resolution transmitted hereto, that the facilities would not have an adverse competitive effect. This Common Council hereby confirms the findings set forth in the Commission's Resolution, and concludes that the economic development facilities will not have an adverse competitive effect on

any other similar facilities in or near the City of Fort Wayne, and the facilities will be of benefit to the health and welfare of the citizens of the City of Fort Wayne.

SECTION 4. The substantially final forms of the Loans Agreement and Security Agreement, Note and Bond Purchase Agreement approved by the Fort Wayne Economic Development Commission are hereby approved (herein collectively referred to as the "Financing Agreement" referred to in I.C. 36-7-11.9 and 12), and the Financing Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of I.C. 36-1-5-4, two (2) copies of the Financing Agreement are on file in the office of the Clerk for public inspection.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bond, (Indiana Coatings Corp. Project), in a principal amount not to exceed One Million Three Hundred Seventy-five Thousand Dollars (\$1,375,000) pursuant to this election to do so under Section 103(b) (6) (D) of the Internal Revenue Code of 1954, as amended, and maturing ten years from the date of the first principal payment. Said bond is to be issued for the purpose of procuring funds to pay the costs of acquisition and equipping of the economic development facilities as more particularly set out in the Bond Purchase Agreement and Loan Agreement and Security Agreement, incorporated herein by reference, which bond will be payable as to principal, premium, if any, and interest from the note payments made by the Company under the Loan Agreement and Security Agreement and Note or as otherwise provided in the above described Bond Purchase Agreement. The bond shall be issued in fully registered form in the amount of \$1,375,000 and shall be redeemable as provided in Article V of the Bond Purchase Agreement. Payments of principal and interest are payable in lawful money of the United States of America at the principal office of the Bondholder or be check or draft mailed or delivered to the Bondholder as provided in the Bond Purchase Agreement. The bond shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne, nor is the bond payable in any manner from revenues raised by taxation.

SECTION 6. The Mayor and Clerk are authorized and directed to sell such bond to the purchaser thereof at a rate of interest per annum on the bond not to exceed 75% of the fluctuating rate per annum publicly announced by Michigan National Bank of Detroit, Michigan, as its prime rate, as in effect at its principal office, (except, (i) in the event interest on the bond becomes taxable due to a Determination of Taxability, as defined in the Loan Agreement and Security Agreement, the interest on the bond will increase to the Taxable Rate, as defined in the Loan Agreement and Security Agreement, and (ii) the interest rate on the bond may be adjusted as set forth in the Loan Agreement and Security Agreement as the result of certain yield affect events); and at a price of not less than 100% of the principal amount thereof.

SECTION 7. The Mayor and Clerk are authorized and directed to execute, attest, affix or imprint by any means the City seal to the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bond authorized herein. The Mayor and Clerk are hereby expressly authorized to approve any modifications or additions to the documents constituting the Financing Agreement which take place after the date of this Ordinance with the review and advice of the

City Attorney; it being the express understanding of this Common Council that said Financing Agreement is in substantially final form as of the date of this Ordinance. The approval of said modifications or additions shall be conclusively evidence by the execution and attestation thereof or the imprinting of the seal thereon; provided, however, that no such modification or addition shall change the maximum principal amount of, interest rate on or term of the bond as approved by the Common Council by this Ordinance without further consideration by the Common Council. The signatures of the Mayor and Clerk on the bond may either manual or facsimile signatures. The Clerk is authorized to arrange for delivery of such bond to the Bondholder named in the Bond Purchase Agreement, and payment for the bond will be made to the Bondholder named in the Bond Purchase Agreement. The Mayor and Clerk shall execute and the Clerk shall deliver the bond to the Bondholder within ninety days of the adoption of this Ordinance. The bond shall be originally dated as of July 1, 1986, but shall have as an issue date the date of Delivery to the Bondholder.

SECTION 8. The provisions of this Ordinance and the Bond Purchase Agreement securing the bond shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bond, (Indiana Coatings Corp. Project), and after the issuance of said bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as said bond or the interest thereon remains unpaid.

SECTION 9 This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None

ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-126-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-13

SPECIAL ORDINANCE NO. S- 127-86

ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "ECONOMIC
DEVELOPMENT REVENUE BOND,
(WILLIAM P. BAER PROJECT)"
AND APPROVING OTHER ACTIONS IN
RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the William P. Baer Project regarding the financing of proposed economic development facilities for William P. Baer and the Fort Wayne Plan Commission has commented favorable thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on July 17, 1986, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of William P. Baer complies with the purposes and provisions of I.C. 36-7-11.9 and 12 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, and Mortgage, Note, Bond Purchase Agreement and Lease; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, and Mortgage approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of a revenue bond, the loan of the proceeds of the revenue bond to William P. Baer (the "Developer") for the acquisition of such facilities, the payment of the revenue bond by the note payments of the Developer under the Loan Agreement and Mortgage and Note, the leasing of such facilities to Indiana Coatings Corp. under the Lease, and the securing of said bond by the mortgaging of such facilities to the Bondholder complies with the purposes and provisions of I.C. 36-7-11.9 and 12 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The economic development facilities will consist of the acquisition and construction of an approximate 50,000 square foot manufacturing facility, to be located at 4301 Engle Road, in Fort Wayne, Indiana. The Developer will lease such facilities to Indiana Coatings Corp. (the "Project").

SECTION 3. At the public hearing held by the Fort Wayne Economic Development Commission, the Commission considered whether the economic development facilities would have an adverse competitive effect on any similar facilities located in or near the City of Fort Wayne, and found, based on special findings of fact set forth in the Resolution transmitted hereto, that the facilities would not have an adverse competitive effect. This Common Council hereby confirms the findings set forth in the Commissioner's Resolution, and concludes that the economic development facilities will not have an adverse competitive effect on any other similar facilities in or near the City of Fort

Wayne, and the facilities will be of benefit to the health and welfare of the citizens of the City of Fort Wayne.

SECTION 4. The substantially final forms of the Loan Agreement and Mortgage, Note, Bond Purchase Agreement and Lease approved by the Fort Wayne Economic Development Commission are hereby approved (herein collectively referred to as the "Financing Agreement" referred to in I.C. 36-7-11.9 and 12), and the Financing Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of I.C. 36-1-5-4, two (2) copies of the Financing Agreement are on file in the office the Clerk for public inspection.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bond, (William P. Baer Project), in a principal amount not to exceed Nine Hundred Twenty-five Thousand Dollars (\$925,000) pursuant to this election to do so under Section 103(b)(6)(D) of the Internal Revenue Code of 1954, as amended, and maturing ten years from the date of the first principal payment. Said bond is to issued for the purpose of procuring funds to pay the costs of acquisition and construction of the economic development facilities as more particularly set out in the Bond Purchase Agreement and Loan Agreement and Mortgage, incorporated herein by reference, which bond will be payable as to principal, premium, if any, and interest from the note payments made by the Developer under the Loan Agreement and Mortgage and Note or as otherwise provided in the above described Bond Purchase Agreement. The bond shall be issued in fully registered form in the amount of \$925,000 and shall be redeemable as provided in Article V of the Bond Purchase Agreement. Payments of principal and interest are payable and interest are payable in lawful money of the United States of America at the principal office of the Bondholder or by check or draft mailed or delivered to the Bondholder as provided in the Bond Purchase Agreement. The bond shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne, nor is the bond payable in any manner from revenue raised by taxation.

SECTION 6. The Mayor and Clerk are authorized and directed to sell such bond to the purchaser thereof at a rate of interest per annum on the bond not to exceed 75% of the fluctuating rate per annum publicly announced by Michigan Bank of Detroit, Michigan, as its prime rate, as in effect at its principal office, (except, (1) in the event interest on the bond becomes taxable due to a Determination of Taxability, as defined in the Loan Agreement and Mortgage, the interest on the bond will increase to the Taxable Rate, as defined in the Loan Agreement and Mortgage, and (ii) the interest rate on the bond may be adjusted as set forth in the Loan Agreement and Mortgage as the result of certain yield affecting events); and a price of not less 100% of the principal amount thereof.

SECTION 7. The Mayor and Clerk are authorized and directed to execute, attest, affix or imprint by any means the City seal to the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bond authorized herein. The Mayor and Clerk are hereby expressly authorized to approve any modifications or additions to the documents constituting the Financing Agreement which take place after the date of this Ordinance with the review and advice of the City Attorney; it being the express understanding of this Common Council that said Financing Agreement is in substantially final form as of the date of this Ordinance. The approval of said modifications or additions shall be

conclusively evidenced by the execution and attestation thereof or the imprinting of the seal thereon; provided however, that no such modification or addition shall change the maximum principal amount of, interest rate on or term of the bond as approved by the Common Council by this Ordinance without further consideration by the Common Council. The signatures of the Mayor and Clerk on the bond may be either manual or facsimile signatures. The Clerk is authorized to arrange for delivery of such bond to the Bondholder named in the Bond Purchase Agreement, and payment for the bond will be made to the Bondholder named in the Bond Purchase Agreement. The Mayor and Clerk shall execute and the Clerk shall deliver the bond to the Bondholder within ninety days of the adoption of this ordinance. The bond shall be originally dated as of July 1, 1986, but shall have as an issue date the date of Delivery to the Bondholder.

SECTION 8. The provisions of this Ordinance and the Bond Purchase Agreement securing the bond shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bond, (William P. Baer Project), and after the issuance of said bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as said bond or the interest thereon remains unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None

ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-127-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-02

RESOLUTION NO. R-57-86

A RESOLUTION RATIFYING AND APPROVING DECLARATORY
RESOLUTION 86-24 OF THE FORT WAYNE REDEVELOPMENT
COMMISSION AND THE APPROVING RESOLUTION
OF THE FORT WAYNE PLAN COMMISSION

WHEREAS, the Fort Wayne Redevelopment Commission on June 30, 1986, adopted Declaratory Resolution 86-24, said Resolution being Amendment No. 5 to the Civic Center Renewal Project, which Resolution is attached hereto and made a part hereof and marked Exhibit "A"; and

WHEREAS, the Fort Wayne Plan Commission adopted a Resolution approving the Declaratory Resolution and Redevelopment Plan on July 28, 1986, a copy of said Resolution being attached hereto and made a part hereof as Exhibit "B"; and

WHEREAS, pursuant to I.C. 36-7-14-16, the Redevelopment Commission may not proceed with the acquisition of a blighted area until the approval of the Declaratory Resolution by this Common Council; and

WHEREAS, this Common Council has reviewed said Resolutions and desires to approve same;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Declaratory Resolution 86-24 of the Fort Wayne Redevelopment Commission, attached hereto as Exhibit "A", and the Resolution of the Fort Wayne Plan Commission, attached hereto as Exhibit "B", are hereby approved, ratified, and confirmed.

SECTION 2. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Bradbury

DATE: 8-12-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-57-86 on the 12th day of August, 1986.

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-07-21

ZONING MAP ORDINANCE NO. Z-09-86

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. G-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 (Multi-Family Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Part of the Lagro Reserve, Township 30 North, Range 12 East of the Second Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of Lagro Section (Reserve), Township and Range aforesaid; thence South 88 degrees 41 minutes West along the South line of said section 429 feet; thence North 1 degree 16 minutes West, 2640 feet to a stone corner; thence South 86 degrees 53 minutes 30 seconds West, 66 feet to the centerline of the Upper Huntington Road; thence South 50 degrees 39 minutes 30 seconds West 1967.41 feet for the point of beginning this being the Northwest corner of the tract herein described; thence North 50 degrees 39 minutes 30 seconds East 87.41 feet; thence South 40 degrees 45 minutes East 385 feet; thence South 50 degrees 19 minutes West, actual, (South 50 degrees 40 minutes West, deed), a distance of 259.0 feet; thence North 27 degrees 32 minutes West, a distance of 257.5 feet; thence North 00 degrees 11 minutes East, a distance of 173.27 feet to the point of beginning,

and the symbols of the City of Fort Wayne Zoning Map No. G-2, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Zoning Map Ordinance
No. Z-09-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of August, 1986, at the hour
of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-07-22

ZONING MAP ORDINANCE NO. Z-10-86

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. N-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a B-3-B (General Business) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lot 3 in John Riedel's Addition to the
City of Fort Wayne, Indiana as recorded
in Plat Book 3, Page 15,

and the symbols of the City of Fort Wayne Zoning Map No.
N-14, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Zoning Map Ordinance
No. Z-10-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of August, 1986, at the hour
of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-07-23

ZONING MAP ORDINANCE NO. Z-11-86

AN ORDINANCE amending the City
of Fort Wayne Zoning
Map No. N-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B (Limited Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot No. 18 except the West 15 feet in
Section "A" Washington Center Place
Addition to the City of Fort Wayne,
Indiana,

and the symbols of the City of Fort Wayne Zoning Map No. N-34, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-11-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-07-18

RESOLUTION NO. R-56-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing the filing of an application
with the United States Department of
Commerce (Economic Development
Administration) for the Tokheim
Corporation Public Works and
Development Grant

WITNESSETH

WHEREAS, the Public Works and Economic Development Act of 1985 authorizes the making of grants of federal funds to eligible units of local government for the purpose of carrying out public works development projects; and

WHEREAS, the City of Fort Wayne is eligible to apply for such public works development grants by virtue of certain conditions of distress; and

WHEREAS, it is in public interest to seek a federal grant and federal grant funds to help alleviate conditions of distress that effect this community; and

WHEREAS, the City, working with a local private company, has proposed a project that appears to be suitable for a public works grant.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor, as the Chief Executive, acting for and on behalf of the City is hereby authorized and directed as follows:

- a. To file an application for a Public Works and Development Grant in the sum of Three Hundred Seventy-Four Thousand Four Hundred and No/100 Dollars (\$374,400.00), with the United States Department of Commerce (Economic Development Administration), in accordance with the Department's regulations, entitled the Tokheim Corporation.
- b. To serve as the authorized representation if the City of Fort Wayne in connection with the application and to provide EDA with such additional information, documentation, understandings, or assurances as may be required.
- c. To execute such other documents as may be required; to execute a contract for financial assistance if such contract is offered; and to execute any amendments and revisions thereto.
- d. The Mayor may delegate any or all of the foregoing duties to any subordinate officer, board or commission directly responsible to him, as he deems necessary or appropriate; provided that such designee shall function only in the Mayor's name and no contract, agreement or arrangement negotiated by him shall be binding upon the City unless approved by the City Attorney as to form and legality, signed by the Mayor and, if it

involves financial commitments by the City,
ratified by the Common Council.

SECTION 2. That the City of Fort Wayne, Indiana, authorizes a grant of Two Hundred Thirty-Nine Thousand Six Hundred and No/100 (\$239,600.00) to the Anthony-Wayne Industrial Center project as the local match for the EDA grant funds.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and signing by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six

Burns, Eisbart, GiaQuinta, Schmidt,
Stier, Talarico

NAYS: Two

Henry, Redd

ABSTAINED: None

ABSENT: One

Bradbury

DATE: 8-12-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-56-86 on the 12th day of August, 1986.

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-07-02

GENERAL ORDINANCE NO. G-28-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated plat

WHEREAS, a petition to vacate a dedicated plat within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission has duly forwarded its recommendations to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed hearing to vacate a public alley within the City of Fort Wayne, more specifically described as follows, to-wit:

Part of the East Half of the Southwest Quarter of Section 27, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northeast corner of said Southwest Quarter; thence South 00 degrees 13 minutes East (deed bearing and is used as the basis for the bearings in this description, a distance of 419.7 feet; thence North 90 degrees 00 minutes West, a distance of 634.1 feet; thence South 00 degrees 13 minutes East, a distance of 19.9 feet; thence North 90 degrees 00 minutes West, a distance of 34.2 feet to the true point of beginning; thence North 90 degrees 00 minutes West, a distance of 604.0 feet to a point situated 40.0 feet East of the centerline of Harris Road; thence South 00 degrees 13 minutes East and parallel to said centerline, a distance of 400.0 feet; thence South 90 degrees 00 minutes East, a distance of 664.0 feet; thence North 00 degrees 13 minutes West, a distance of 200.0 feet; thence North 90 degrees 00 feet West, a distance of 60.0 feet; thence North 00 degrees 13 minutes West, a distance of 200.0 feet to the true point of beginning, containing 5.822 acres of land, subject to all easements of record,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-28-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-31

SPECIAL ORDINANCE NO. S-128-86

AN ORDINANCE approving the Contract for Res. 6049-86, Parnell Avenue Widening, by the City of Fort Wayne, Indiana, by and through its Board of Public Works and Safety and M.A. Gaines Construction Company

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The annexed Contract for Res. 6049-86, Parnell Avenue Widening, by the City of Fort Wayne, by and through its Board of Public Works and Safety and M.A. Gaines Construction Company, is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

To improve Parnell Avenue (East Side) for State Blvd. to a point 240' South thereof:
(a) Widening Pavement; (b) Replacing Sidewalk with Curbface Walk; (c) Improve drainage; (d) Replacing Driveway and Alley Approach;

the Contract price is Eleven Thousand Nine Hundred Eighty-Three and 50/100 Dollars (\$11,983.50).

SECTION 2. Prior Approval was received from the Common Council, with respect to this Contract, on July 8, 1986. Two (2) copies of the Contract, attached hereto, are on file with the Office of the City Clerk, and are available for public inspection.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-128-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-32

SPECIAL ORDINANCE NO. S-129-86

AN ORDINANCE approving Change Order No. 3 (FINAL) for Water Contract 85-W-2, Southwest Pump Station, with The Robert Henry Corporation, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 (FINAL) for Water Contract 85-W-2, Southwest Pump Station, with the Robert Henry Corporation, in connection with the Board of Public Works and Safety, for:

Change Order No. 3 and FINAL constitutes full mutual accord and satisfaction for all time and all costs related to this change. By acceptance of this Change Order, the Contractor hereby agrees that the change represents an equitable adjustment to the Contract and further agrees to waive all rights to file any further claims or changes arising out of or as a result of this change, or the accumulation of changes on this Contract. The Contractor is directed to make the following changes in the Contract documents as set forth in this Change Order and attachments. Description of the change: Install P.V.C. drain line. Deduct Utility (Gas & Electric) Billings from, before completion date. The reason for change is that tile has to be relocated and connected to storm tile. Utility Bills were paid to prevent discontinuation of services;

involving a net increase of One Thousand Eighty-Seven and 36/100 Dollars (\$1,087.36), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,

Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-129-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of August, 1986, at the hour
of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-33

SPECIAL ORDINANCE NO. S-130-86

AN ORDINANCE approving Change Order No. 1 - Res. 403-84, Lathrop Street Storm Sewer, with Dailey Asphalt & Construction Company, in connection with the Board of Public Works and Safety, of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Res. 403-84, Lathrop Street Storm Sewer, with Dailey Asphalt & Construction Company, in connection with the Board of Public Works and Safety, for:

During the course of construction of subject project, numerous property owners along the west side of the storm improvement were concerned about the impact of the drainage ditch in front of their homes. While they agreed to release right-of-way for construction of said project, they did not visualize the actual depth of the ditch as we explained previously to them. In some areas, at the confluence of the drainage structures and the side ditch, the side ditch is in excess of $3.7 \pm$ VP in relation to the lot served and the edge of the road. Some property owners did not wish to have the back slopes of the storm ditch laid at a flatter grade where it would go deeper into their property. In order to accommodate the people and still get the project completed, the City recommends this change order to install pipe in some of the areas that are in excess of $3.7 \pm$ VP deep;

involving a net increase of Seven Thousand Three Hundred Ninety-Eight and 43/100 Dollars (\$7,398.43), all as more particularly set forth in the specifications, and which is on file in the Office of the Board of Public Works and Safety, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-130-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of August, 1986, at the hour
of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-34

SPECIAL ORDINANCE NO. S-131-86

AN ORDINANCE approving Change Order
No. 1 and FINAL for Contract
85-XP-4, 30" Indianapolis Road
Div. II Feeder Main, with T-G
Excavating, Inc., in connection with the Board
of Public Works and Safety of the
City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 and FINAL for
Contract 85-XP-4, 30" Indianapolis Road Div. II Feeder
Main, in connection with the Board of Public Works and
Safety, for:

Items 2a, 2b, 3, 6b, 6c, 6d, 7a, 7b and
10 are adjustments, to final quantities
on original contract. *11 is
replacement of deleted Item #8. *12 is
replacement of deleted Item #6b. *13
required for transition from 30" Main to
16" Main. *14 required restraint for
Item #12. *15 contractor was forced to
go below several unknown drainage pipe.
*16 & *17 per county officials demand to
relocate. *18 due to telephone cables
placed after project was bid. *19
county officials demand at ditch
crossings;

involving a net decrease of Four Thousand Seven Hundred
Seven and 16/100 Dollars (\$4,707.16), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-131-86 on the 12th day of August, 1986.

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-35

SPECIAL ORDINANCE NO. S-132-86

AN ORDINANCE approving Change Order No. 1 and FINAL for Ardmore Avenue Water Main Contract 85-XP-9, with T-G Excavating, Inc., in connection with the Board of Public Works and Safety, of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 and FINAL for Ardmore Avenue Water Main Contract 85-XP-9, with T-G Excavating, Inc., in connection with the Board of Public Works and Safety, for:

this Change Order is necessary for the following: #11 - Location of water main changed, resulting in less asphalt removal. #14 - Encountered unforeseen storm drains, which were necessary to be replaced. Lines did not show in inlets because they were blind tapped. #15 - Base stabilization was required, due to poor soil conditions, which could not properly support pipe;

involving a net increase of One Thousand One Hundred Eighty-Four and 28/100 Dollars (\$1,184.28), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-132-86 on the 12th day of August, 1986.

Continued on page 100

BILL NO. S-86-07-36

SPECIAL ORDINANCE NO. S-133-86

AN ORDINANCE approving City Utilities Purchase Order #A-53737, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Lincolnway International Trucks, Inc., for the City Utilities Garage

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-53737, between the City of Fort Wayne, by and through its City Utilities and the Department of Purchasing, with Lincolnway International Trucks, Inc., for the City Utilities Garage, respectfully for:

the purchase of three (3) single axle trucks for the City Utilities Garage, per the specifications in reference #788;

involving a total cost of Seventy-Five Thousand Twenty-Seven and No/100 Dollars, all as more particularly set forth in said Purchase Order and specifications, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved, subject to financing through the City Equipment Lease Program as provided for in Ordinance No. S-174-84.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None

ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-133-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

BILL NO. S-86-07-37

SPECIAL ORDINANCE NO. S-134-86

AN ORDINANCE approving City Utilities Purchase Order #A-53738, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Lincolnway International Trucks, Inc., for the City Utilities Garage

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-53738, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Lincolnway International Trucks, Inc., for the City Utilities Garage, respectfully for:

the purchase of one (1) single axle line truck, for the City Utilities Garage, per the specifications in reference #789;

involving a total cost of Twenty-Seven Thousand Six Hundred Fifty-Two and No/100 Dollars (\$27,652.00), all as more particularly set forth in said Purchase Order and specifications, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved, subject to financing through the City Equipment Lease Program as provided for in Ordinance No. S-174-84.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-134-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-38

SPECIAL ORDINANCE NO. S-135-86

AN ORDINANCE approving City Utilities Purchase Order #A-53736, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Indiana Equipment Company, for the City Utilities Garage

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-53736, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Indiana Equipment Company, for the City Utilities Garage, respectfully for:

the purchase of a Motor Grader for the City Utilities Garage, per the specifications in reference #795;

involving a total cost of Fifty-Nine Thousand Seven Hundred Six and No/100 Dollars (\$59,706.00), all as more particularly set forth in said Purchase Order and specifications, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved, subject to financing through the City Equipment Lease Program as provided for in Ordinance No. S-174-84.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 8-12-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-135-86 on the 12th day of August, 1986.

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 15th day of August,
1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-01

RESOLUTION NO. R-58-86

RESOLUTION APPROVING TRANSFER OF REAL
ESTATE OWNED BY THE CITY OF FORT WAYNE,
INDIANA, TO THE FORT WAYNE REDEVELOPMENT
COMMISSION, AND RATIFYING AN AGREEMENT
BETWEEN THE CITY, THE FORT WAYNE
REDEVELOPMENT COMMISSION, CBD INVESTMENT
GROUP, AND WATERFIELD MORTGAGE
INCORPORATED

WHEREAS, the City of Fort Wayne, Indiana owns real estate located within the City, the legal description of which is attached hereto as Exhibit "A", and which real estate is located in the 300 block of E. Berry Street (the "property"); and

WHEREAS, said property is currently unimproved and is used as a parking lot and is not needed by the City for any governmental purpose; and

WHEREAS, the Fort Wayne Redevelopment Commission has entered into an Agreement (the "Agreement") with CBD Investment Group and Waterfield Mortgage Company, Incorporated (the "Redevelopers") whereby the property commonly known as the L.S. Ayres Building will be redeveloped, but only if the City transfers the property to the Fort Wayne Redevelopment Commission, which will then offer same for sale; and

WHEREAS, said Agreement requires the City to improve said property if the Redevelopers are the successful bidders for and acquire the property;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. The Common Council hereby ratifies the Agreement and the commitments of the City contained therein.

SECTION 2. Pursuant to I.C. 36-1-11-8, the City is hereby authorized and directed to transfer title to the property to the City of Fort Wayne for the use and benefit of its Department of Redevelopment.

SECTION 3. This Resolution shall take effect upon its passage and approval by the Mayor and the adoption of a similar Resolution by the Fort Wayne Redevelopment Commission.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: One
Burns
ABSENT: None
ABSTAINED: None

DATE: 8-19-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-58-86 on the 19th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkSamuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 21st day of August, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of August, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. A-86-08-04

APPROPRIATION ORDINANCE NO. A-05-86

AN ORDINANCE appropriating monies for the purpose of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana, for the fiscal year beginning January 1, 1987, and ending December 31, 1987, including all outstanding claims and obligations and fixing a time when the same shall take effect

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That for the expenses of the City Government and its institutions for the year ending December 31, 1987, the sums of money shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purpose of raising revenue to meet the necessary expense of city government, tax rates are shown on Budget Form 4-B and included herein. Two (2) copies of Budget Form 4-A and 4-B for all funds and departments are made a part of the budget report and submitted herewith.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Common Council, and any and all necessary approval by the Mayor, legal publication thereof, and is subject to the laws of the State of Indiana governing appropriations.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSENT: None

ABSTAINED: None

DATE: 8-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-05-86 on the 25th day of August, 1986

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1986, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-05

SPECIAL ORDINANCE NO. S-136-86

AN ORDINANCE approving the disposal and transfer of real estate owned by the City of Fort Wayne, Indiana, to James H. Miller and Dianna Thornhill Miller, d/b/a, Omni-Art Design, Inc.

WITNESSETH:

WHEREAS, the City presently owns property located at 1716 West Main Street, Lot Number 33, W.R. Nelson's Addition, to the City of Fort Wayne, Indiana;

WHEREAS, this real estate is no longer needed by the City for the operation of City business or the provision of governmental services;

WHEREAS, the City has advertised for proposals and bids to dispose of such real estate, specifically requesting of interested parties their intentions to develop such real estate in a fashion that is consistent with the needs of the neighborhood involved and the community in general;

WHEREAS, the Board of Public Works and Safety has determined the proposal and bid of James H. Miller and Dianna Thornhill Miller, d/b/a, Omni-Art Design, Inc., to be the highest and best bid and proposal; and

WHEREAS, State law and local ordinance requires Common Council approval before the transfer of City real estate.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Common Council approval is hereby given for the City to transfer 1716 West Main Street, Lot Number 33, W.R. Nelson's Addition, and all improvements thereon, to James H. Miller and Dianna Thornhill Miller d/b/a, Omni-Art Design, Inc. and in exchange therefore, said Millers agree to improve such property as indicated in their responses to the City's requests, and further in consideration of the Miller's agreement, to design and construct art having a value of Thirty Thousand and No/100 Dollars (\$30,000.00), such art to be donated to the City and to be placed at sites determined by the City.

SECTION 2. The Mayor and the members of the Board of Public Works and Safety of the City of Fort Wayne, are hereby empowered and authorized to execute, on behalf of the City, all deeds and agreements accomplishing the above and foregoing.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: One

Burns
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-136-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-06

SPECIAL ORDINANCE NO. S-137-86

AN ORDINANCE approving the acquisition
of equipment to enhance the City
of Fort Wayne, Indiana's 911 Services

WITNESSETH:

WHEREAS, the City is desirous of enhancing its
911 Services to and for the benefit of residents of this
community;

WHEREAS, such enhancing will require the
acquisition of equipment;

WHEREAS, the needed equipment can only be
provided by the manufacturer, to-wit, GTE; and

WHEREAS, since the equipment can only be acquired
from the manufacturer, I.C. 36-1-9-1, et seq., does not
require bidding, however, local ordinance requires Council
approval.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Approval is hereby given for the City
to acquire the equipment noted on the attached Exhibit "A",
for the price therein indicated, such equipment to be
acquired from GTE for purposes of enhancing the City's 911
Services.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-137-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.
Win Moses, Jr., Mayor

BILL NO. R-86-08-03

RESOLUTION NO. R-59-86

A RESOLUTION authorizing the City of Fort Wayne to borrow \$19,265.00 from the State of Indiana for the purpose of extending water lines

WHEREAS, I.C. 4-4-8 authorizes the State of Indiana to loan monies to municipalities for the purpose of improving development in said municipalities; and

WHEREAS, the City of Fort Wayne has been contacted by Plastic Composites Corp., concerning the addition of water lines to their property so that they may expand their operations; and

WHEREAS, said water lines will cost approximately One Hundred Thirty-Three Thousand Dollars (\$133,000.00) and Plastic Composites Corp. is will to make payment of Twenty-Six Thousand One Hundred Eleven Dollars (\$26,111.00) for said water lines, as hereinafter set out.

WHEREAS, the Industrial Development Fund of the Indiana Department of Commerce is willing to made a loan in the amount of Nineteen Thousand Two Hundred Sixty-Five Dollars (\$19,265.00) to the City to be repaid by companies along the extension.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne hereby authorizes Mr. Thomas Latchem, as Director of the Department of Economic Development, to make application to the State of Indiana for a loan of Nineteen Thousand Two Hundred Sixty-Five Dollars (\$19,265.00), pursuant to I.C. 4-4-8, a copy of said application is attached hereto as a part hereof as Exhibit "A".

SECTION 2. The loan shall be a general obligation of the City of Fort Wayne payable by monthly payments from companies located along the extension, to the City of Fort Wayne which payments shall then be paid to the State of Indiana in repayment of the loan. The term of the loan shall be five (5) years at a rate of interest of five percent (5%) per annum.

SECTION 3. That this Resolution shall be in effect from and after its passage and signing by the Mayor, and further Mr. Thomas Latchem is hereby authorized to make such additional and supplemental agreements with the State of Indiana, as required by I.C. 4-4-8.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-59-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-24

DECLARATORY RESOLUTION NO. R-60-86

A DECLARATORY RESOLUTION designating
an "Economic Revitalization Area"
under I.C. 6-1.-12.1 for property commonly
known as 2130 Lakeview Drive, Fort Wayne,
Indiana (James E. Nusbaum, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated August 1, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

S 110 of N 510 of E 431 Ft., W of GR & I
S 1/2 Sec. 33 & 34

S 330 of N 620 of E 431 Ft., SE 1/4 W of
GR & I except S 110 of N 510 Ft., Sec.
33 & 34;

said property more commonly known as 2130 Lakeview Drive,
Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1-1.12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a six (6) year deduction from the assessed value of the real property. The length of the deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3 (b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-60-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-08

RESOLUTION NO. R-61-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
approving the Housing Authority's
participation in the Housing and
Neighborhood Development Services'
Rental Rehabilitation Program
for 1986

WHEREAS, the City of Fort Wayne, Indiana's Housing Authority desires to participate in the Rental Rehabilitation Program so that rental assistance may be provided and further so that units of available safe and sanitary housing for low and moderate income families will be increased.

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Fort Wayne, has approved the Housing Authority's participation in the Housing & Neighborhood Development Services Rental Rehabilitation Program and the Commissioners have further authorized the application, by the Housing Authority, of Housing Vouchers which will be set aside for use in the Rental Rehabilitation Program.

WHEREAS, such Rental Rehabilitation Program will provide rental assistance for eligible families; and

WHEREAS, the Housing Authority's participation in the Rental Rehabilitation Program will be a continued refinement and improvement of the Housing Authority's overall program benefiting citizens of this community.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council of the City of Fort Wayne, Indiana, does hereby approve of the City's Housing Authority's participation, including but not limited to, the administration of Section 8 Housing Vouchers in accordance with the Housing and Neighborhood Development Services' Rental Rehabilitation Program, to eligible clients as established under the Housing and Urban Rural Recovery Act of 1983; and the administration of 13 vouchers as established under the Housing and Urban Rural Recovery Act of 1983. These Vouchers will provide additional rental assistance for low-income families in rental rehabilitation program units.

SECTION 2. The Housing Authority and its Director, are empowered and authorized to take all action necessary and to sign all documents with the Federal Government and other entities to facilitate the Housing Authority's participation in the Rental Rehabilitation Program.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. R-61-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-09

RESOLUTION NO. R-62-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
approving the Housing Authority's
continued participation in the
Section 8 Existing Certificates program
as provided in the Housing and
Urban Rural Recovery Act of 1983

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Housing Authority of the City of
Fort Wayne, Indiana, is empowered and authorized to continue
its participation in the existing Section 8 program, as
provided by federal law and to further apply for and obtain
fifty (50) certificates for fiscal year 1986, which will
provide additional rental assistance for low-income
families.

SECTION 2. That this Resolution shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-62-86 on
the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-07-28

GENERAL ORDINANCE NO. G-29-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated utility
easement thereof

WHEREAS, a petition to vacate a dedicated utility
easement within the City of Fort Wayne (as more specifically
described below) was duly filed with the City Planning
Commission; and

WHEREAS, said Commission duly held a public
hearing thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in
I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation
of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to
vacate a dedicated utility easement within the City of Fort
Wayne, more specifically described as follows, to-wit:

The 7 foot utility easement running
along the east side of Lot 84, Section
II of Papermill Bluffs Addition plus the
adjacent 7 foot along the west side of
Lot 83 beginning at the 14 foot utility,
sidewalk and drainage easement on the
north side of same two lots and ending
at the Cobblewood Cove street
right-of-way.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage, any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None
ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as General Ordinance
No. G-29-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-07-30

GENERAL ORDINANCE NO. G-30-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive
("Master") Plan by vacating
a street thereof

WHEREAS, a petition to vacate a portion of public street within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of public street within the City of Fort Wayne, more specifically described as follows, to-wit:

Beginning at the northwest corner of Lot Numbered 10 in said Wheatridge, Section I; thence North 00 degrees, 10 minutes, 40 seconds West, a distance of 50.0 feet to the southwest corner of Lot Numbered 9; thence North 89 degrees, 50 minutes, 18 seconds East, a distance of 130.0 feet along the south property line of Lot Numbered 9; thence South 00 degrees, 10 minutes, 40 seconds East, a distance of 50.0 feet to the northeast corner of Lot Numbered 10; thence South 89 degrees, 50 minutes, 18 seconds West, a distance of 130.0 feet to the Point of Beginning, including to 20-foot radius at the corners of Lots Numbered 9 and 10; containing 0.15 acre, more or less, and subject to easements of record. The intent being to include all right-of-way of Easton Trail lying west of the west right-of-way line of Bridgewater Drive.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as General Ordinance
No. G-30-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-08-10

GENERAL ORDINANCE NO. G-31-86

AN ORDINANCE amending Chapter 17
of the Municipal Code of the
City of Fort Wayne, Indiana of 1974,
entitled "Traffic Code"

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and
Sections of Chapter 17 of the Municipal Code of the City of
Fort Wayne, Indiana of 1974, are hereby amended as follows:

A. Schedule 2, Section 39, "Increasing State
Speed Limits In Certain Zones", by adding thereto the
following:

SPEED LIMIT 40

<u>Location</u>	<u>From</u>	<u>To</u>
Hobson Road	Coliseum Boulevard	Stellhorn Road

B. Schedule 5, Section 49, "Intersection Where
Stop Required", by adding thereto the following:

STOP INTERSECTION

Location

Crofton Drive/Monument Drive---stop---for Sawmill Woods
Drive
Franklin Avenue---stop---for Burgess Street

C. Schedule 7, Section 90, "Parking Prohibited
At All Times on Certain Streets", by adding thereto the
following:

NO PARKING

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Calhoun Street Street	W/S	Fourth Street	F i f t h
Baer Field Street	N/S	385 feet West of the west edge of Sixth Street	S e v e n t h
Terminal Lane			
Baer Field west	S/S	the west edge of	160 feet
Terminal Lane		Sixth Street	thereof
Irene Street east	N/S	Goshen Avenue	220 feet
			thereof

D. Schedule 7, Section 90, "Parking Prohibited
At All Times On Certain Streets", by deleting the following:

Delete:

NO PARKING

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Murray Street thereof	N/S	40 feet east of	90 east

Calhoun Street
 Donald Street N/S 75 feet east of 170 feet
 east Calhoun Street thereof

E. Schedule 8, Section 90, "Parking Prohibited During Certain Hours On Certain Streets", by adding the following:

NO PARKING 7 A.M. TO 4 P.M. SCHOOL DAYS ONLY

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Berry Street west	N/S	165 feet west of Harmar Street	38 feet thereof

F. Schedule 8, Section 90, "Parking Prohibited During Certain Hours On Certain Streets", by deleting the following:

Delete:

NO PARKING 3 P.M. TO 6 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Broadway Avenue	W/S	Stophlet Street	Swinney
South Hanna Street	W/S	Buchanan Street	Lasselle

G. Schedule 11, Section 93, "Parking Time Limited On Certain Streets" - 90 Minute Parking 8 A.M. To 6 P.M. by deleting the following:

Delete:

90 MINUTE PARKING 8 A.M. TO 3 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Broadway Avenue	W/S	Stophlet Street	Swinney

H. Schedule 12, Section 93(C), "Parking Time Limited On Certain Streets", - Two Hour Parking 8 A.M. To 6 P.M. by adding the following:

TWO HOUR PARKING 8 A.M. TO 6 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Murray Street east	N/S	40 feet east of Calhoun Street	90 feet thereof

I. Schedule 27, Section 5 (A), "Impaired Mobility Parking Commercial", by adding thereto the following:

IMPAIRED MOBILITY PARKING (COMMERCIAL)

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Woodview Manor Apartments 3506 Timberhill Drive		Southeast corner of Building Number 14 (1 stall)	

east	Baer Field	S/S	the west edge of	25 feet
	Terminal Lane		Sixth Street	thereof (1 stall)
east	Baer Field	S/S	115 feet east of	25 feet
	Terminal Lane		the east edge of Sixth Street	thereof (1 stall)
	Northeast Area III Council on Aging, Inc., 5720 St. Joe Road		100 feet east of St. Joe Road and 140 feet north of Terry Lane	(2 stalls)
	Northeast Area III Council on Aging, Inc., 5720 Joe Road		210 feet east of St. Joe Road and 100 feet north of Terry Lane	(2 stalls)
	Bombay Bicycle Club Cafe and Bar, 4820 North Clinton Street		90 feet east of North Clinton Street and 60 feet south of Community Drive	(2 stalls)

J. Schedule 28, Section 5 (B), "Impaired Mobility Parking Residential", by adding thereto the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
1303 Elm Street	S/S	40 feet west of Center St.	20 feet west thereof
1406 Lillie Street	E/S	245 feet south of Alliger St.	20 feet south thereof
4331 Queen Street	E/S	65 feet north of Werling Drive	20 feet north thereof
2300 Miner Street	E/S	60 feet south of Creighton Avenue	20 feet south thereof
2300 Miner Street	E/S	110 feet south of Creighton Avenue	20 feet south thereof

K. Schedule 29, Section 48 (c), "No Parking Fire Lane" by adding thereto the following:

NO PARKING FIRE LANE

Location

Three Rivers Apartments, 104 Three Rivers North
Holiday Inn, 330 East Washington Boulevard
Southgate Shopping Center, 218 East Pettit Avenue
Gateway Plaza (Uncommons, 1425 Goshen Road
Target North, 3801 Coldwater Road
Glenbrook Center, 4201 Coldwater Road

K Mart North, 200 East Coliseum Boulevard
K Mart East, 820 Coliseum Boulevard North
Northcrest Shopping Center, 702 East Coliseum Boulevard
Southtown Mall, 7800 South Anthony Boulevard
Target South, 7601 South Anthony Boulevard
Heck's Department Store, 6901 South Hanna Street
Heck's Department Store, 3810 West Jefferson Boulevard
K Mart South, 7530 K Mart Plaza (U.S. #27 South)
Lutheran Hospital, 3024 Fairfield Avenue
Parkview Memorial Hospital, 2200 Randallia Drive
St. Joseph's Hospital, 700 Broadway
Veteran's Administration Hospital, 1600 Randallia Drive
Lutheran Homes, 6701 South Anthony Boulevard
Medco Center, 3811 Parnell Avenue
St. Anne's Home, 1900 Randallia Drive
Willow Ridge Living Center, 2001 Hobson Road
Georgetown Square, 6338 East State Boulevard
Millbrook Apartment Complex, 2700-2800 Millbrook
Memorial Coliseum, 4000 Parnell Avenue
Coliseum Motor Inn, 505 East Coliseum Boulevard
Tall Oaks, 7300 Old Decatur Road
Mariott Inn, 305 East Washington Center Road
Towne House Retirement Center 2209 St. Joe Center Road
Fine Arts Building, 303 East Main Street
Mental Health Park Center, 909 East State Boulevard
Don Hall Guesthouse, 1313 Washington Center Road
Marketplace of Canterbury, 5675 St. Joe Road
Washington Square, 5929 North Clinton Street
Statewood Shopping Center, 3901 East State Boulevard
Illusions Night Club, 4530 Bluffton Road
I.U.P.U. Fort Wayne, 2101 Coliseum Boulevard

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-11

SPECIAL ORDINANCE NO. S-138-86

AN ORDINANCE approving Change Order No. 2, Maplecrest Road Extension, Resolution #6021-85, with Earth Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2, Maplecrest Road Extension for Resolution #6021-85, with Earth Construction Company, in connection with the Board of Public Works and Safety, for:

This Change Order is necessary because when the soil tests were run in the design state of the project, the C.B.R.'s were 6 with moisture content 12% to 14%. As a result of an extremely wet fall and spring and the installation of a large storm sewer truck line that resulted in cutting numerous farm field files, the moisture content has increased to 18% and above, thus losing the stability in the soil; so therefore, the recommended solution is to install subsurface drains to remove the moisture from the subsoil. To deal with the top portion of subgrade, we have to excavate 7 inches of soil, then place the geotechnical fabric which will help stabilize the soil. Then to build stability in our soil, we are planning to place 10 inches of #73 stone;

involving a net increase of Fifty-Nine Thousand Nine Hundred Twenty-Six and 25/100 Dollars (\$59,926.25), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-138-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-07-12 (AS AMENDED)

SPECIAL ORDINANCE NO. S-139-86

AN ORDINANCE approving the awarding of Reference #2871, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Hipkind Concrete Corporation for the Water Maintenance and Service Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #2871, between the City of Fort Wayne, by and through its Department of Purchasing and Hipkind Concrete Corporation, for the Water Maintenance and Service Department for:

the restoration of streets, curbs, sidewalks and driveways at various locations throughout the City of Fort Wayne, per the specifications in Reference #2817, for the Water Maintenance and Service Department

involving a total cost of One Hundred Eighteen Thousand and No/100 Dollars (\$118,000.00), all as more particularly set forth in said Reference #2817, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-139-86 on the 26th day of August, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at 2:00 o'clock P.M., E.S.T.

Win Moses, Jr., Mayor

BILL NO. S-86-08-13

SPECIAL ORDINANCE NO. S-140-86

AN ORDINANCE approving Change Order
No. 1, Emergency Resolution 76-78-1, Pavement
Blow-up in 5200 Block
of North Clinton, with Mergy
Construction Co., Inc., in connection
with the Board of Public Works and
Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Emergency
Resolution 76-78-1, Pavement Blow-up in 5200 Block of North
Clinton, with Mergy Construction Co., Inc., in connection
with the Board of Public Works and Safety, for:

This Change Order is necessary because
the first pavement blow-up was on
Sunday, July 6, 1986, and quantities
were worked up. On July 7th the second
blow-up occurred so, therefore, the
increase in quantity;

involving a net increase of Four Thousand Two Hundred
Eighty-Two and 75/100 Dollars (\$4,282.75), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 8-26-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-140-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986,
at 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-14

SPECIAL ORDINANCE NO. S-141-86

AN ORDINANCE approving Change Order No. 1 for Resolution 6025-85, CBD Resurfacing with Brooks Construction Co., Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Resolution 6025-85, CBD Resurfacing, with Brooks Construction Co., Inc., in connection with the Board of Public Works and Safety, for:

This Change Order is necessary because Brooks Construction Company's bid was 18% over estimate. Casting adjustments were deleted, water valve adjustments, and new castings on city-owned utilities. This work was done by city crews. We also asked the contractor to substitute #9 Binder for #11 Binder at a reduced unit cost which he agreed to. Contractor also agreed to buy milled material at 2.00/ton which resulted in a credit;

involving a net decrease of Seventy Thousand Eight Hundred Ninety-Three and 36/100 Dollars (\$70,893.36), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-141-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour

of 11:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M.,E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-15

SPECIAL ORDINANCE NO. S-142-86

AN ORDINANCE approving Change Order No. 1 for Resolution #6049-86, Parnell Avenue Widening, with M. A. Gaines Construction Co., Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Resolution #6049-86, Parnell Avenue Widening, with M.A. Gaines Construction Co., Inc., in connection with the Board of Public Works and Safety, for:

This Change Order is necessary because under preliminary planning and estimating of project, General Telephone Company had full intentions of removing concrete walk and curbing along project area. They were to remove these so they could encase phone cable in concrete due to traffic driving over it. Early excavating proved their line was already encased; therefore, making it unnecessary to remove these items;

involving a net increase of One Thousand Six Hundred Fifty-Two and No/100 Dollars (\$1,652.00), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-142-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort

Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-16

SPECIAL ORDINANCE NO. S-143-86

AN ORDINANCE approving the Contract for Resolution #6048-86 -Headwall & Backwater Gate at Gruber Ditch, between the City of Fort Wayne, Indiana and John Dehner, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Resolution #6048-86 - Headwall & Backwater Gate at Gruber Ditch, between the City of Fort Wayne and John Dehner, Inc., by and through its Board of Public Works and Safety, is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

the construction of Headwall and Backwater Gate at Gruber Ditch in Vesey Avenue Addition;

the Contract price is Twenty Thousand Six Hundred Ninety-Five and 50/100 Dollars (\$20,695.50).

SECTION 2. Prior Approval was requested from Common Council with respect to this Contract, on August 12, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-143-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-17 (AS AMENDED)

SPECIAL ORDINANCE NO. S-144-86

AN ORDINANCE approving the Street Light Contract #180-86 - Wheatridge Addition, Section #1, between the City of Fort Wayne, Indiana and the Weikel Line Co., Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Street Light Contract #180-86 - Wheatridge Addition, Section #1, between the City of Fort Wayne and The Weikel Line Co., Inc., by and through its Board of Public Works and Safety, is hereby ratified, and affirmed and approved in all respects. The work under said Street Light Contract requires:

the installation of underground ornamental lighting system for lots 1 through 122;

the Street Light Contract price is Fifty-Eight Thousand Seven Hundred Eighty-Eight and 76/100 Dollars (\$58,788.76).

SECTION 2. Prior Approval was received from Common Council with respect to this Street Light Contract, on August 5, 1986. Two (2) copies of the Street Light Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-144-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at 2:00 o'clock P.M., E.S.T. Win Moses, Jr., Mayor

BILL NO. S-86-08-18

SPECIAL ORDINANCE NO. S-145-86

AN ORDINANCE approving the Street Lighting Maintenance Contract for Res. #181-86, between T & F Construction Corporation of Indiana and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Street Lighting Maintenance Contract for Res. #181-86, by and between T & F Construction Corporation of Indiana and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

The Contract for Res. #181-86, Construction and Maintenance Contract for Street Lighting System for the City of Fort Wayne, Indiana and City Utilities is described as follows:
 1. RELAMPING UNIT - to consist of 1 person and bucket type line truck suitably equipped for relamping and maintenance work. 2. MAINTENANCE CREW - to consist of 3 or more member crew equipped to perform maintenance, repair and construction on underground and overhead street light system including a pick-up truck, line truck w/boom and earth auger and a bucket truck w/50 foot working height available for use at all times. 3. TROUBLE SHOOTING UNIT - to consist of 1 person and 1 truck which should be available at all times to handle accidents and emergencies. 4. UNIT PRICE ITEMS - unit price list for Street Light Construction;

the Contract price is Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) for the first year, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded b Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
 Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico
 NAYS: None

ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-145-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-19

SPECIAL ORDINANCE NO. S-146-86

AN ORDINANCE approving Change Order
No. 1 (FINAL) for Water Contract
85-01, Corline-Monteray, with Hipskind
Concrete, in connection with the
Board of Public Works and Safety
of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 (FINAL) for
Water Contract 85-01, Corline-Monteray, with Hipskind
Concrete, in connection with the Board of Public Works and
Safety, for:

This Change Order is necessary to equate
contract amounts for work actually
performed;

involving a net increase of Two Thousand Two Hundred
Ninety-Seven and 05/100 Dollars (\$2,297.05), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-146-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 27th day of August, 1986, at the hour
of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-08-20 (as amended) (as amended) (as amended)

GENERAL ORDINANCE NO. G-32-86

AN ORDINANCE of the Common Council
of the City of Fort Wayne, Indiana,
amending the Animal Control Ordinance
of the City's Municipal Code

WHEREAS, the City is desirous of amending its
Animal Control Ordinance; and

WHEREAS, such amendments will be of a benefit and
improvement to Animal Control in the City of Fort Wayne.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Article I of the Animal Control
Ordinance entitled "Definitions" is hereby amended as
follows:

Section 6-1. TERMS DEFINED.

The following definitions are added:

DEPARTMENT OF ANIMAL CONTROL/DEPARTMENT: The
municipally owned facility established for
the purpose of animal control, care and
disposition, as set forth in this chapter,
operated by and under the direct supervision
of the Director of the Division of Public
Safety and the Shelter Manager.

DIRECTOR: The Director of the Division of
Public Safety for the City of Fort Wayne.

SHELTER MANAGER: The Shelter Manager for the
Fort Wayne Department of Animal Control.

The following definition replaces the old:

ANIMAL CONTROL COMMISSION: The Animal
Control Commission shall be an advisory
commission with regard to policy and fiscal
decisions affecting the Department of Animal
Control.

The following definitions are to be deleted:

ANIMAL CONTROL SHELTER: The municipally
owned facility established for the purpose of
animal control, care and disposition, as set
forth in this chapter, operated by and under
the direct supervision of the Fort Wayne
Animal Control Commission and the Executive
Director of the Shelter.

VICIOUS ANIMAL: Any animal that has, without
provocation, attacked a human being.

SECTION 2. Article II, presently entitled "Fort
Wayne Animal Control Commission" shall be deleted and
replaced by the following:

NEW:

PUBLIC ARTICLE II. DIRECTOR OF THE DIVISION OF THE
SAFETY/ANIMAL CONTROL COMMISSION.

Section 6-2. Organization.

(1) AUTHORITY: The Department of Animal Control shall be operated by the Director through the Shelter Manager.

(2) RELATIONSHIP; COMPOSITION; TERMS: The Director will be advised on matters of policy and fiscal decisions by a voting five (5) member board, so named the Fort Wayne Animal Control Commission. The commission members shall be appointed to serve a three-year term, terms to be staggered. No limit shall be set on number of terms a commissioner can serve, all members to serve without compensation.

(a) Three (3) of the commission members shall be appointed by the mayor. The two (2) remaining members of the commission shall be appointed by the city council.

(b) At the outset, the mayor shall appoint one (1) person to serve two (2) years, and one (1) person to serve three (3) years. The city council shall appoint one (1) person to serve two (2) years, and one (1) person to serve three (3) years.

(c) This selection shall not be based on political affiliations, but on interest in animal care and control and knowledge of same.

(2) ORGANIZATIONAL MEETING:

(a) The first meeting of the commission shall be convened by the Shelter Manager.

(b) The commission shall elect a chairman, vice-chairman, and a secretary from among its members.

(3) MEETINGS, RULES AND REGULATIONS: The commission shall meet at least once each month, or upon special call by the chairman, or upon the written request to the chairman by any three (3) members. It shall adopt rules and regulations as may be necessary or appropriate in its judgement to carry out the provisions of the ordinance and laws under which it exists and performs its functions.

(4) QUORUM: Three (3) members of the animal control commission shall constitute a quorum to do business.

(5) VACANCIES: In the case of vacancy in office due to death, resignation, incapacity, removal or otherwise, the appointment to fill the vacancy so occurring shall be made by the original appointing body for the unexpired term only and shall be subject to the provisions stated in Section 6-2(2). Ord. No. G-14-81, 9-22-81).

Section 6-3. DUTIES AND POWERS/DIRECTOR.

The duties and powers of the Director are as follows:

(1) To cause to be enforced all city ordinances and/or state laws regarding animal care and control.

(2) To maintain and operate the Department of Animal Control's shelter or shelters which have been designated for the humane sheltering or protection and disposition of animals coming into its custody.

(3) To purchase all necessary materials for the proper and efficient performances of the services and work required of the shelter, consistent with the city's duly established purchasing procedures.

(4) To cause to be picked up and transported to the Department of Animal Control all unwanted animals, all animals illegally at large, and all sick, diseased, injured, lost, strayed, stolen or abandoned animals. Those animals whose owners request may be promptly euthanized at said shelter. In addition, any animal which appears to be ill and would pose a health hazard to other animals, or any animal which is injured so that it cannot rest comfortably for a minimum of three (3) working days may be destroyed immediately as so authorized by the Shelter Manager or his/her authorized agent. All other animals shall be kept at said shelter or place designated by said shelter for a period of not less than three (3) working days to afford owners the opportunity to claim the animal. After such period of time, unclaimed animals shall be placed in a suitable home, retained at said shelter or euthanized. Animal released to said shelter by their owners, or impounded animals not claimed within the legal time become the property of said shelter and disposition may be made at said shelter's discretion.

(5) To cause to be picked up and disposed of all dead animals found in or on any street or sidewalk, alley or other public place in the city.

(6) To cause to be investigated all reports and complaints concerning any inhumane treatment or practices pertaining to animals within the city. To cause to be impounded at the Department of Animal Control or suitable places designated by the Department of Animal Control all animals found in conditions adverse to their health and safety. Such impoundment or placement shall be in accordance with the provisions of Article VIII, Section 6-22.

(7) To enter into contract with any municipalities or governmental units or any person, association or corporation for the collection, transportation, sheltering and disposal by said shelter for sick, diseased, injured, illegally at large, lost, strayed or abandoned animals provided that no such services be extended by said shelter outside the city, except under written contract with the unit, person, association or corporation concerned and at a charge based upon the

actual cost of such services, including overhead; provided that no such contract shall be effective except upon the approval of the city attorney or a duly designated associate, as to form and legality, the approval of the mayor, and the ratification by city council.

(8) To employ all personnel necessary for the efficient performance of the duties required of said shelter.

(9) To prepare and submit after review and comments of the Animal Control Commission to city council through the city controller, an annual budget, for its financing of its operations and performance of its duties.

(10) To submit to the mayor, and to the city council, no later than January 30 of each year, a report of its activities and operation for the prior year.

(11) To establish reasonable fees to be charged to persons reclaiming and adopting animals, and to collect such fees, such fees to be adopted only after approval by Director and submission to the mayor and city council for approval and adoption.

(12) To provide that all dogs and/or cats released for adoption shall be spayed or neutered and provisions made for a program to monitor said spay/neuter plan. (Ord. No. G-14-81, 9-22-81).

SECTION 3. Article III entitled "Animal Care Regulations" shall be amended as follows:

Section 6-4. ENUMERATED.

The following replaces the old language.

(10) CRUELTY. No person shall beat, cruelly treat, neglect, torment, overload, overwork, or otherwise abuse any animal except that reasonable force may be employed to drive off vicious or trespassing animals.

(19) VICIOUS ANIMALS PROHIBITED. No person shall own, keep, or harbor a vicious animal within the city of Fort Wayne; provided, this section shall not apply to animal under the control of a law enforcement or military agency. For the purpose of this chapter, an animal may be declared vicious by the Shelter Manager if the following facts or criteria are met:

(a) The animal, while running at large, has bitten a person or persons and the bite and attack was unprovoked, or that the animal exhibits vicious propensities in present or past conduct, including but not limited to conduct such that the animal (i) has bitten a person or persons in a consecutive twelve (12) month period three (3) times; or (ii) did bite or attack once causing wounds or injuries creating a potential danger to the health and life of the victim; or (iii) could not be controlled or

restrained at the time of bite or attack to prevent the occurrence; and

(b) That in order to preserve the public health, safety and welfare of the community the destruction of said animal is necessary;

Whenever an animal is declared vicious, the Shelter Manager shall notify the owner of said animal of the declaration. Such notice shall be served either in person or by certified or registered mail. The animal, if not already held in quarantine at the Department of Animal Control shall be surrendered to the Shelter Manager. Within ten (10) days from the date of receipt of such notification the owner must appeal the declaration to the Shelter Manager or said animal will be humanely destroyed by the Department of Animal Control at the owner's expense. The owner may also release the animal to the Shelter at any time during this ten (10) day period.

Any decision of the Shelter Manager under the provisions of these sections may be appealed to the Director who shall hear and render a decision in this matter. Such appeal by the owner to the Director shall be filed with the Shelter Manager within ten (10) days after receipt of notification from the Shelter Manager that said animal shall be destroyed. The disposition of any animal shall be stayed during the pendency of such appeal. The animal shall remain at the Department of Animal Control during the appeal process. The decision of the Director shall be final and binding upon the city and upon the appellant, and his decision may be appealed as provided by law. The Director shall review the information provided by both the Shelter Manager and the owner of said animal and render a decision to the effect that (1) the animal is not vicious, or (2) the animal is vicious and should be destroyed. The owner of any animal which is impounded and destroyed under this section shall be held responsible for payment of any expenses incurred by the Shelter Manager for the impoundment and destruction, and failure to pay such fee to the Shelter Manager within fifteen (15) days after destruction of such animal shall constitute a violation of the chapter.

SECTION 4. Article IV entitled "Biting Animals" shall be amended as follows:

The following replaces the old language:

Section 6-6. BITING ANIMALS TO BE REPORTED; NOT TO BE DESTROYED; EXCEPTION.

(1) The person responsible for any animal which has bitten a person or another animal must report the incident to the Department of Animal Control. Upon receiving the report of a bite, the shelter will quarantine the animal for ten (10) days with the place of confinement to be in the discretion of the Department of Animal Control. During the quarantine period, the animal is to be securely

confined and kept from contact with any other animal or person.

(2) During the quarantine period, the owner must provide a current rabies vaccination certificate for his or her cat or dog that is being quarantined. If proof of vaccination cannot be supplied, the animal will be vaccinated by a veterinarian at the owner's expenses before release.

(3) No person other than an animal control officer or veterinarian shall kill or cause to be killed any animal suspected of being rabid except in cases of immediate self-protection. If that occurs, the person will retain the body and immediately notify the Department of Animal Control. (Ord. No. G-14-81, 9-22-81).

SECTION 5. Article V entitled "Registration and Permits" is hereby amended as follows:

Section 6-13. PET SHOP PERMIT

The following replaces the old language in (3) and (6) respectively.

(3) The pet shop permit holder shall be further required to register with the Department of Animal Control the name, address, and telephone number of each buyer or new owner of any dog or cat transferred within five (5) days after the sale or transfer.

(6) No puppy or kitten under the age of eight (8) week may be offered for sale, trade or other compensation, or for free giveaway (except a puppy, or kitten or litter or litters taken to the Department of Animal Control (Ord. No. G-14-81, 9-22-81; Ord. No. G-21-83, 7, 7-26-83; Ord. No. S-208-85, 1, 11-12-85)).

WELFARE Section 6-16. ANIMAL CONTROL SHELTER; ANIMAL ORGANIZATION.

The following is the new Section 6-16:

SECTION 6-16. DEPARTMENT OF ANIMAL CONTROL;
ANIMAL WELFARE ORGANIZATION.

No permit shall be required, of the Department of Animal Control or animal welfare organization; however, all other provisions of this chapter shall apply. (Ord. No. G-14-81, 9-22-81)

SECTION 6. Article VI entitled "Registration and Permit Applications; Inspections; Fees" is amended as follows:

The following language replaces the old Sec. 6-17:

Section 6-17. APPLICATION; TERM

(1) Application for registrations or permits may be made at the Department of Animal Control or designated facility, or by mail, and shall include name, address of applicant, type of permit applied for, number and description of animal(s), number and description of animal(s), proof of rabies vaccination, information regarding sterilization and appropriate fee.

(2) Registration and permits are to be issued for a term of one year, commencing with the date of issuance.

(3) Upon issuance, Department of Animal Control shall issue a registration or permit in written form which includes number of registration or permit, type of registration or permit, and all pertinent information. In addition, the Department of Animal Control shall issue a durable tag stamped with registration number and year of issuance for each pertinent registration.

(4) The Department of Animal Control shall maintain records of the identifying registration/permit number.

(5) All fees shall be paid at time of application, and prior to the issuance of the permit or registration.

(6) It shall be unlawful for any owner of any dog or cat to fail to provide any dog or cat over the age of six (6) months with current pet registration as provided in this section of the Code. The owner of any dog or cat, which dog or cat is over the age of six (6) months, must also have in his possession a current rabies vaccination tag showing that such animal has been vaccinated against rabies as otherwise provided in section 6-1. No permit shall be issued unless proof of vaccination against rabies is shown at the time of application for the permit. Any owner of such animal who moves into the city for purposes of establishing a residence or residing or who becomes a resident as result of annexation shall have thirty (30) days in which to obtain the permit required by this chapter. (Ord. No. G-14-81, 9-22-81; Ord. No. G-21-83, 7-26-83).

The following language replaces old subsections 2, 3, 4, 6 and 7.

Section 6-19. FEES.

(2) KENNEL/CATTERY PERMIT:

4-15 dogs.....	\$ 50.00
4-15 cats.....	50.00
16-25 dogs.....	75.00
16-25 cats.....	75.00
26 or more dogs.....	100.00
26 or more cats.....	100.00

Permit will be issued after inspection approved by the Department of Animal Control.

(3) GROOMING SHOP PERMIT:

Fee.....\$ 50.00

Permit will be issued after inspection approved by the Department of Animal Control.

(4) MAJOR BREEDER'S PERMIT:

Fee.....\$100.00

Plus any applicable kennel/cattery permit fee. Permit will be issued after inspection approved by the Department of Animal Control

provided all requirements of this chapter are met.

(6) PET SHOP PERMIT:

Fee.....\$100.00

Permit will be issued after inspection approved by the Department of Animal Control.

(7) CIRCUS, ANIMAL CONCESSION, AND ANIMAL EXHIBITS PERMITS:

(New (b))

(b) Permit will be issued after inspection approved by the Department of Animal Control provided all requirements of this chapter are met.

The following language replaces old Section 6-20:

(1) Any person who is denied a permit or whose permit is revoked may appeal the denial or revocation to the Director within sixty (60) days of the date of the denial or revocation of the permits.

(2) All requests for appeals must be in writing and addressed to the Director; whereupon, the Director shall set the appeal for hearing within forty-five (45) days of the receipt of the written request. (Ord. No. G-14-81, 9-22-81).

SECTION 7. Article VII entitled "Penalties; Violations" is amended as follows:

Section 6-21. ENUMERATED.

Change (3) and (4) to read as follows:

the (3) In the event that an animal is retained at Department of Animal Control because its owner has been in violation of this chapter, the person redeeming the animal by paying the prescribed fees shall also be subject to paying for medical bills incurred for routine shots for animals at the Department.

(4) Violators, upon conviction, may be given the opportunity to work at the Department of Animal Control and/or participate in a humane education program if so recommended by the court.

SECTION 8. Article VIII entitled "Impoundment; Redemption" the content of Section 6-22 is replaced by the following:

Section 6-22. GROUNDS FOR AND CONDITIONS OF IMPOUNDMENT.

(1) Animals found in cruel, abusive or neglectful situations as defined in this chapter or animals that have been abandoned may be promptly impounded if no immediate contact with a responsible person can be made; provided, however, that the animal control officer shall leave written notice saying the location of the animal and the reason for impoundment.

(2) Animals so removed will be impounded and held at the Department of Animal Control or designated

facility until such time violator is in compliance with this chapter; provided, however, that in no event shall this period exceed ten (10) days, at which time the animal shall become the property of the Department of Animal Control, unless an extension is necessary for the animal control officer to have ample time to prepare a court case if prosecutions is warranted. In the case of animals impounded for quarantine at the Department of Animal Control, the animal will become the property of the Department if not claimed by closing time of the Department on the eleventh (11) day of the quarantine.

(3) Animals impounded for reasons beyond the control of the owner, such as but not limited to house fire, death of owner, or arrest of the owner, will be held for ten (10) days during which time a reasonable effort will be made to contact the owner and/or their representative. After the tenth day of impoundment, the animals will become the property of the Department of Animal Control.

(4) Animals awaiting disposition by the courts shall remain in the custody of the Department of Animal Control unless such disposition is made or placed in a foster home until legal arrangements have been completed.

(5) Animals so removed may be transported to a licensed veterinarian for examination and/or treatment. If, in the opinion of said veterinarian, the animal must be destroyed, euthanasia will be performed immediately. Costs of treatment, euthanasia, and/or care shall be the responsibility of the owner/agent. (Ord. No. G-14-81, 9-22-81).

Section 6-23. REDEMPTION.

(1) A person may reclaim an animal in the custody of the Department of Animal Control upon providing the following:

(a) Proof of ownership, and

(b) Payment of redemption fee and any other service/medical fees, as approved by the Director.

(2) Stray or at large animals will be held three (3) working days at the Department of Animal Control, pursuant to section 6-3(4).

(3) Unclaimed animals become the property of the Department of Animal Control and may be placed for adoption or humanely euthanized, pursuant to section 6-3(4).

SECTION 9. Article IX entitled "Monies" is amended as follows by replacing the old language:

Section 6-24. DISPOSITION OF MONIES. All monies generated or collected by virtue of the provisions of this chapter are to be set aside and placed in the general fund.

SECTION 10. Article X 1/2 entitled "Public Spay and Neuter Clinic" is amended by replacing the old (c) with the following:

Section 6-29. GENERALLY.

New (c):

(c) BOARD AND CARE CHARGE. The animal control commission shall establish a return date by which persons submitting animals for the above operation shall pick up said animals or be subject to a reasonable board and care fee to commence the day after such return date.

Failure to pick up an animal within seventy-two (72) hours of said return date shall be deemed abandonment of such animal and the shelter manager may dispose of it by placement or destruction. (Ord. No. G-19-82, 1, 8-24-82, Ord. No. G-06-86, 2, 2-11-86).

SECTION 11. Article XI entitled "Destruction of Animals" is amended as follows:

Section 6-45. SUBSTANCES PERMITTED FOR USE.New language.

The Department of Animal Control, other animal shelters, and/or public animal facilities which destroy animals in the City of Fort Wayne, Indiana, shall use only sodium pentobarbital or a derivative substances for said purpose. (Ord. No. G-17-77, 1, 5-24-77; Ord. No. G-21-83, 10, 7-26-83).

Delete Section 6-48, Section 6-49, and Section 6-52.

Renumber: Section 6-50 now becomes Section 6-48; Section 6-51 now becomes Section 6-49; and Section 6-53 now becomes Section 6-50.

SECTION 12. That this Ordinance shall be effective upon passage, approval by the Mayor and due legal publication.

Donald J. Schmidt
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 8-26-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-86 on the 26th day of August, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 27th day of August, 1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-22

SPECIAL ORDINANCE NO. S-147-86

AN ORDINANCE approving Civil City Purchase Orders #47231 and #48578, with Elliott Equipment Corporation and Traffic One Incorporated respectively, for the Traffic Engineering Department of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #47231 and #485 78, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with the Elliott Equipment Corporation and Traffic One Incorporated respectively, respectfully for:

the purchase of Traffic Signal Control Equipment for the Traffic Engineering Department, per the specifications in Reference #1259;

involving a total cost of Seventeen Thousand Seven Hundred Seventy-Seven and No/100 Dollars (\$17,777.00) (Elliott Equipment, \$5,307.00; Traffic One, \$12,470.00), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-147-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-23

SPECIAL ORDINANCE NO. S-148-86

AN ORDINANCE approving a proposed lease between the City of Fort Wayne, Indiana, and Park Center, Inc., of 2.993 acres of land, more or less, for the extension of the comprehensive mental health center at 909 East State Boulevard, Fort Wayne, Indiana

WHEREAS, Acts 1976, PL 158 of the General Assembly of the State of Indiana provided for the transfer of certain lands from the State of Indiana to the City of Fort Wayne;

WHEREAS, Section 3 of Acts 1976, PL 158 of the General Assembly of the State of Indiana provided that a certain three (3) acres of the real estate described in said Act which are adjacent to the Comprehensive Mental Health Center was to be held by the City of Fort Wayne for future use by said Center, and further provided that when the Center should request that the City transfer said three (3) acres, the City would immediately execute a lease to the Center, which lease may require no more rent than One Dollar (\$1.00) per year to be paid by the Center to the City for the use of the land;

WHEREAS, said three (3) acres of the real estate described in said act is more particularly described as follows, to-wit:

Part of Lot 7 in HANNA'S PLAT "C", said lot being in the Northwest Fractional one-quarter of Section 36, Township 31 North, Range 12 East, Allen County, Indiana, as recorded in Deed Record 45, page 22, in the Office of the Recorder of said County, in particular described as follows to-wit:

To arrive at the point of beginning commence on the North line of State Boulevard at its intersection by the West line of Kentucky Avenue as established in the Plat of KINCADE HOMESTEAD ADDITION, as recorded in Plat Book 7B, page 103, in the Office of the Recorder of said County; thence Northerly along the West line of said Kentucky Avenue (40 feet wide), a distance of 800 feet to the aforementioned point of beginning and the Northeast corner of 14.692 acres quit-claimed to the COUNTY OF ALLEN by the State of Indiana as recorded in Document No. 73-12448; thence Westerly by a deflection left of 90 degrees 33 minutes along the North line of said 14.692 acres, a distance of 800 feet to the Northwest corner of said 14.692 acres; thence Northerly by a deflection right to 90 degrees 33 minutes on a line parallel to the West line of Kentucky Avenue, a distance of 163.0 feet; thence Easterly by a deflection right of 89 degrees 27 minutes, a distance of 800 feet to the West line of said Kentucky Avenue (40 feet wide); thence Southerly on the line aforesaid by a deflection right of 90 degrees 33 minutes, a

beginning; containing 2.993 acres, more or less.

and

WHEREAS, Park Center, Inc., formerly known as Mental Health Center at Fort Wayne, Inc., an Indiana not-for-profit corporation, is the comprehensive mental health center located at Fort Wayne, Indiana;

WHEREAS, by Statutory Quitclaim Deed executed by the Governor of the State of Indiana on the 30th day of August, 1979, the State of Indiana, pursuant to Acts 1976, PL 158 of the General Assembly of the State of Indiana, as amended by Acts 1979, PL 312 of the General Assembly of the State of Indiana, released and quit-claimed to the City of Fort Wayne, Indiana, certain real estate located in the City of Fort Wayne, County of Allen, Indiana, as more particularly described in said Statutory Quitclaim Deed; and

WHEREAS, Exception 2 of said Statutory Quitclaim Deed reserved the above described three (3) acres of land for the future use of the comprehensive mental health center; and

WHEREAS, by letter dated February 10, 1986, Park Center, Inc. has requested that the City of Fort Wayne enter into a lease for the lands and upon the terms and conditions set forth in Acts 1986, PL 158 of the General Assembly of the State of Indiana and in the aforesaid Statutory Quitclaim Deed.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain proposed lease between the City of Fort Wayne, Indiana, as Lessor, and Park Center, Inc., as Lessee, conforms with Acts 1976, PL 158 of the General Assembly of the State of Indiana which mandates the City of Fort Wayne to enter into a lease to the comprehensive mental health center, to-wit, Park Center, Inc., an Indiana not-for-profit corporation, for comprehensive mental health center purposes, which property is more particularly described hereinafter, to-wit:

Part of Lot 7 in HANNA'S PLAT "C", said lot being in the Northwest Fractional one-quarter of Section 36, Township 31 North, Range 12 East, Allen County, Indiana, as recorded in Deed Record 45, page 22, in the Office of the Recorder of said County, in particular described as follows to-wit:

To arrive at the point of beginning, commence on the North line of State Boulevard at its intersection by the West line of Kentucky Avenue as established in the Plat of KINCADE HOMESTEAD ADDITION, as recorded in Plat Book 7B, page 103, in the Office of the Recorder of said County; thence Northerly along the West line of said Kentucky Avenue (40 feet wide), a distance of 800 feet to the aforementioned point of beginning and the Northeast corner of 14.692 acres quit-claimed to the COUNTY OF ALLEN by the State of Indiana as recorded in Document No. 73-12448; thence Westerly

minutes along the North line of said 14.692 acres, a distance of 800 feet the Northwest corner of said 14.692 acres; thence Northerly by a deflection right to 90 degrees 33 minutes on a line parallel to the West line of Kentucky Avenue, a distance of 163.0 feet; thence Easterly by a deflection right of 89 degrees 27 minutes, a distance of 800 feet to the West line of said Kentucky Avenue (40 feet wide); thence Southerly on the line aforesaid by a deflection right of 90 degrees 33 minutes, a distance of 163.0 feet to the point of beginning; containing 2.993 acres, more or less,

Such proposed lease is attached hereto as a part hereof as Exhibit "A", and a copy of same is on file with the City Clerk's Office of the City of Fort Wayne and available for public inspection. Such lease is hereby ratified and approved in all respects and the Mayor and members of the Board of Public Works and Safety are hereby authorized to execute same.

SECTION 2. That the lease shall be for the amount of One Dollar (\$1.00) per year, and shall be renewable for periods of one (1) year at a time so long as the property continues to be used for comprehensive mental health center purposes.

SECTION 3. The lease herein referred to is a lease to a not-for-profit organization, as referred to in Indiana Code 36-1-11-1 (b)(7) and thus, other requirements dealing with the Disposal of Property Act are not required.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-148-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-08-25

DECLARATORY RESOLUTION NO. R-63-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2130 Lakeview Drive, Fort Wayne, Indiana (James E. Nusbaum, Petitioner)

WHEREAS, Common Council had previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1., to-wit:

S 110 of N 510 of E 431 Ft., W of
GR & I S1/2 Sec. 33 & 34;

S 330 of N 620 of E 431 Ft., SE1/4 W of
GR & I except S 110 of N 510 Ft., Sec.
33 & 34:

said property more commonly known as 2130 Lakeview Drive, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a one (1) year period.

SECTION 3. That it is the preliminary intent of Common Council to recommend a six (6) year deduction from the assessed value of the real property. However, pursuant to I.C. 6-1.1-12.13(b), final determination of the length of the entitled deduction will not be made by Common Council until receipt from the County Auditor of the owner's application.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on

its passage. PASSED by the following vote:

AYES: Eight
 Bradbury, Burns, Eisbart, GiaQuinta, Henry,
 Redd, Schmidt, Stier
 NAYS: None
 ABSTAINED: None
 ABSENT: One
 Talarico

DATE: 9-9-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the
 City of Fort Wayne, Indiana, as Resolution No. R-63-86 on
 the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
 City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
 Wayne, Indiana, on the 10th day of September, 1986, at the
 hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
 City Clerk

Approved and signed by me this 11th day of
 September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
 Mayor

BILL NO. R-86-09-01

RESOLUTION NO. R-64-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
approving an Interlocal Cooperation
Agreement, to be entered into by
and between the City and Allen County

WITNESSETH:

WHEREAS, the State of Indiana has offered financial assistance in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) to Allen County, for the construction of sanitary sewer facilities to be provided to the Complete Auto Transit/Auto Truck Project Site to be located just west of the General Motors Truck Assembly Plant;

WHEREAS, the Complete Auto Transit/Auto Truck Project Site will make a substantial investment in this community and create additional jobs for this community;

WHEREAS, the City has the expertise and capacities to select contractors for the installation of sanitary sewers with respect to the project; and

WHEREAS, an Interlocal Agreement is necessary between the City and the County so that the City can be reimbursed for its work.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The attached Interlocal Cooperation Agreement, to be entered into be and between the County and the City, is hereby approved and ratified in all respects. Such Agreement is made a part hereof and marked Exhibit "A".

SECTION 2. That the Members of the Board of Public Works and Safety of the City of Fort Wayne, are hereby authorized and empowered to execute such Interlocal Cooperation Agreement, on behalf of the City and they are further authorized and empowered to execute any and all other documents that may be required to accomplish those matters and purposes as set forth in the Interlocal Cooperation Agreement.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana, as Resolution No. R-64-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-07-29

GENERAL ORDINANCE NO. G-33-86

AN ORDINANCE amending the Thoroughfare Plan
of the City Comprehensive ("Master")
Plan by vacating a street thereof

WHEREAS, a petition to vacate a portion of public street within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of public street within the City of Fort Wayne, more specifically described as follows, to-wit:

All that portion of River Run Trail described on Plat of Woodlands of Riverside and recorded in Plat Book 39, Pages 78-80 lying within the boundaries of the following described real estate:

Part of the fractional North Half of Section 19, Township 31 North, Range 13 East in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Section 19, said point indicated by a brass plug situated on the centerline of the St. Joseph Center Road; thence South 00 degrees 39 minutes 05 seconds West (based on Deed bearing for the Wabash & Erie Canal Feeder) along the West line of said Section 19, 45.00 feet to a point on the North line of Papermill Bluffs Section I, an Addition to the City of Fort Wayne, Indiana, recorded as instrument #77-02672 in the Office of the Recorder of said County; said point also being on the South right-of-way line of the St. Joseph Center Road as established by Indiana Project S 728 (1) 1961; thence South 89 degrees 50 minutes 00 seconds East along the North line of said Addition 181.56 feet, said line being contiguous with the South right-of-way line of said St. Joseph Center Road as situated 45.00 feet normally distant South of said Road centerline and established by Highway right-of-way Grant as recorded in Deed Record 591, pages 156-157, in the Office of the Recorder of said County, (the next 5 courses being along the East

thence South 44 degrees 30 minutes 46 seconds East 106.47 feet; thence South 54 degrees 02 minutes 02 seconds East 542.88 feet; thence South 34 degrees 14 minutes 00 seconds East 337.39 feet; thence South 21 degrees 41 minutes 25 seconds West 148.64 feet to the POINT OF BEGINNING; thence continuing South 21 degrees 41 minutes 25 seconds West 780.02 feet to the Southeast corner of said Papermill Bluffs Section I, said point being the Northeast corner of Block "G" in Papermill Bluffs - Section II, an Addition to the City of Fort Wayne, Indiana, recorded as Instrument #78-12669 in the Office of the Recorder of said County; thence continuing South 21 degrees 41 minutes 25 seconds West 129.30 feet to the Southeast corner of said Block "G" thence South 89 degrees 42 minutes 00 seconds West along the South line of Block "G" 85.00 feet; thence South 89 degrees 33 minutes 07 seconds West 381.68 feet to the Northeasterly corner of The Woodlands of Riverside, an Addition to the City of Fort Wayne, Indiana, recorded as Instrument #77-17794 in the Office of the Recorder of said County; thence South 05 degrees 56 minutes 29 seconds East along the East line of said Addition 931.46 feet to the Southeast corner of said Addition, said point being on the South line of said North Half Section; said point being South 89 degrees 53 minutes 03 seconds East 153.56 feet from the Southwest corner of the Northwest Quarter of said Section 19; thence South 89 degrees 53 minutes 03 seconds East along the South line of said Northwest Quarter 636.27 feet; thence North 21 degrees 41 minutes 25 seconds East 1676.25 feet to the South line of Woodbridge Apartments of Fort Wayne - Phase I; thence North 68 degrees 18 minutes 35 seconds West along said South line 591.33 feet to the East line of said Papermill Bluffs - Section I, said point being the POINT OF BEGINNING.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None

ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-26

SPECIAL ORDINANCE NO. S-149-86

AN ORDINANCE approving the awarding of Reference #1255, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Paul C. Brudi Stone and Gravel Co., Inc., Phoenix Stone and Landscape Material, Stoneco, Inc., May Stone and Sand, Inc., Stone Street Gravel, Inc., Hixson Sand and Gravel, Inc., and Canyon Sand Gravel, Inc., respectively, for the Street Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #1255, between the City of Fort Wayne, by and through its Department of Purchasing and Paul C. Brudi Stone and Gravel Co., Inc., Phoenix Stone and Landscape Material, Stoneco, Inc., May Stone and Sand, Inc., Stone Street Gravel, Inc., Hixson Sand and Gravel, Inc., and Canyon Sand and Gravel, Inc. respectively, for the Street Department, respectfully for:

the purchase of sand, gravel and stone for the Street Department of the City of Fort Wayne, per the specifications in Reference #1255; purchase orders will be issued as needed;

involving a total cost of One Hundred Thousand Dollars (\$100,000.00), all as more particularly set forth in said Reference #1255, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No.

S-149-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-27

SPECIAL ORDINANCE NO. S-150-86

AN ORDINANCE approving the awarding of Reference #1257, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Bituminous Materials Company, Inc., for the Street Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #1257, between the City of Fort Wayne, by and through its Department of Purchasing and Bituminous Materials Company, Inc., for the Street Department, respectfully for:

the purchase of bituminous materials, per the specifications in #1257 for the Street Department of the City of Fort Wayne; purchase orders will be issued as needed;

involving a total cost of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00), all as more particularly set forth in said Reference #1257, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-150-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr., Mayor

BILL NO. S-86-08-32

SPECIAL ORDINANCE NO. S-151-86

AN ORDINANCE approving Change Order No. 1
(FINAL) for Res. 420-84, "St. Joe
Pump Station Elimination"
with T-G Excavating, Inc., in
connection with the Board of Public
Works and Safety of the City
of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 (FINAL) for
Res. 420-84, "St. Joe Pump Station Elimination" with T-G
Excavating, Inc., in connection with the Board of Public
Works and Safety, for:

This is a final close out change order.
Certain items have been increased or
decreased based on the final inspection
and measurements. Also upon County
Surveyor's request, additional shot rock
and rip-rap were used to protect the
ditch bottom and sides. Further, due to
easement negotiations, the project was
realigned and the City purchased the
extra 50 L.F. of 18" PVC Pipe (material)
to use elsewhere;

involving a net increase of One Thousand Three Hundred
Twenty-Five and 58/100 Dollars (\$1,325.58), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Eisbart, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-151-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-33

SPECIAL ORDINANCE NO. S-152-86

AN ORDINANCE approving Change Order No. 3 and FINAL for Southwest Interceptor S-1, Res. 407-85, with John Dehner, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 and FINAL for Southwest Interceptor S-1, Res. 407-85, with John Dehner, Inc., in connection with the Board of Public Works and Safety, for:

This Change Order needs to be rescinded and withdrawn because of the following: During final negotiations with the property owners for subject resolution with Fred McCulloch, Land Acquisition Agent, it was WPC Dept.'s understanding that the City had a firm commitment from one of the property owners for a 16" casing and bore as final settlement for all easement claims. As it turns out, the property owner has reconsidered his position and with his attorney, the property owner has requested a cash settlement. The case settlement is approx. 1/3 the cost of the proposed bore. Therefore, it is a savings (approx.) of \$9,000.00 to the City of Fort Wayne. Further, the attached revised final change order reflects additional work that was required by our land acquisition agent to correct drainage problems, which work was justifiable. Without this correction, property owners wouldn't execute the release document;

involving a net increase of Nineteen Thousand Three and 95/100 Dollars (\$19,003.95), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-152-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-08-34

SPECIAL ORDINANCE NO. S-153-86

AN ORDINANCE approving City Utilities Purchase Order #A-54145, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Scott Industrial Equipment Company for the Three Rivers Filtration Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54145, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Scott Industrial Equipment Company for the Tree Rivers Filtration Plant, respectfully for:

the purchase of a reciprocating type compressor for the Three Rivers Filtration Plant;

involving a total cost of Sixteen Thousand Five Hundred Twenty-Six and No/100 Dollars (\$16,526.00), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 9-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-153-86 on the 9th day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr., Mayor

BILL NO. R-86-09-10

DECLARATORY RESOLUTION NO. R-65-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 8000 Bluffton Road, Fort Wayne, Indiana 46809. (Bowmar Instrument Corporation/Aerospace Division, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated September 17, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

S550 of N 775 of E 792 FT SE
1/r
533 EX ST:

said property more commonly known as 8000 Bluffton Road, Fort Wayne, Indiana 46809;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-65-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, on the 24th day of September, 1986, at the hour of 11:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-12

DECLARATORY RESOLUTION NO. R-66-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Conastoga Drive, Centennial Industrial Park, Fort Wayne, Indiana. (Fort Wayne Foundry Corp., Machining Division Cole Pattern & Engineering Co., Inc., Petitioner)

WHEREAS, Petitioner has duly filed its petition dated September 12, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West half of the Southeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence West along the South line of the W1/2 of the SE1/4 of Sec. 28-31-12, and the South line of the E1/2 of the SW1/4 of Sec. 28-31-12, a distance of 1475.0 feet; thence North with a deflection angle to the right of 89 degr. 54 min. 20 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 701.45 feet; thence East with a deflection angle to the right of 89 degr. 45 min. 20 sec. and parallel to the South line of Centennial Industrial Park Section III, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, a distance of 155.0 feet to the point of beginning; thence North with a deflection angle to the left of 89 degr. 45 min. 20 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 392.8 feet; thence East with a deflection angle to the right of 89 degr. 45 min. 20 sec. parallel to the South line of Centennial Industrial Park, Section III, a distance of 520.0 feet; thence South with a deflection angle to the right of 90 degr. 14 min. 40 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 392.8 feet; thence West with a deflection angle to the right of 89 degr. 45 min. 20 sec. parallel to the South line of Centennial Industrial Park, Section III, a distance of 520.0 feet to the point of beginning, containing 4.689 acres;

said property more commonly known as Conastoga Drive, Centennial Industrial Park, Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the

provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution;

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate and personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. The length of the deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on

ts passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-66-86 on
the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, on the 24th day of September, 1986, at the hour of
11:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-14

DECLARATORY RESOLUTION NO. R-67-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1311 E. Wallace, Fort Wayne, Indiana 46803 (Miller Stamping & Tool, Inc., Petitioner)

WHEREAS, Petitioner has duly filed its petition dated September 3, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

The Southerly 60.0 feet of the Easterly 10.0 feet of the Northerly 77.65 feet of the Westerly half of Lot #13; and also The Easterly Half of Lot Numbered Thirteen (13) in Hanna Creighton Subdivision in the City of Fort Wayne, Indiana, Section Two, according to the plat thereof recorded in the Office of the Recorder of Allen County, Indiana;

said property more commonly known as 1311 E. Wallace, Fort Wayne, Indiana 46803;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne

Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. The length of the deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-67-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, on the 24th day of September, 1986, at the hour of 11:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-02

RESOLUTION NO. R-68-86

RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing the application
for 25 Section 8 Certificates

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Housing Authority of the
City of Fort Wayne, Indiana, is hereby empowered and
authorized to make application for 25 Section 8 Certificates
for a housing program in connection with Semi-independent
Living Initiatives. Such application may be made by the
Housing Authority to HUD.

SECTION 2. The Housing Authority, by and through
its Executive Director, is hereby empowered and authorized
to sign any and all documents necessary to accomplish the
applications, as herein approved.

SECTION 3. That this Resolution shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-68-86 on
the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, on the 24th day of September, 1986, at the hour of
11:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 11:15 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-07-20

ZONING MAP ORDINANCE NO. Z-12-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-31,
N-35, O-31 & O-35

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an RA (Suburban RESidential) district under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Part of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana; thence South along the East line of the SW 1/4 of Sec. 36-30-12, a distance of 2460.0 feet; thence West with a deflection angle to the right of 89 degrees 35 minutes 40 seconds a distance of 1314.0 feet to a point on the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12; thence North with a deflection angle to the right of 90 degrees 19 minutes and along the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 1148.0 feet; thence West with a deflection angle to the left of 90 degrees 22 minutes 30 seconds along the South line of the N 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 656.34 feet; thence North with a deflection angle to the right of 90 degrees 27 minutes 50 seconds a distance of 914.0 feet; thence East with a deflection angle to the right of 89 degrees 38 minutes and parallel to the North line of the SW 1/4 of Sec. 36-30-12, a distance of 1722.12 feet; thence North with a deflection angle to the left of 89 degrees 38 minutes and parallel to the East line of the SW 1/4 of Sec. 36-30-12, a distance of 400.0 feet to a point on the North line of the SW 1/4 of Sec. 36-30-12; thence East with a deflection angle to the right of 89 degrees 38 minutes along the North line of the SW 1/4 of Sec. 36-30-12, a distance of 250.0 feet to the point of beginning, containing 78.28 acres,

and the symbols of the City of Fort Wayne Zoning Map N-31, N-35, O-31 and O-35, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSENT: None

ABSTAINED: None

DATE: 9-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-12-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, on the 24th day of September, 1986, at the hour of 11:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-08-29

ZONING MAP ORDINANCE NO. Z-13-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an RA (Suburban Residential) District
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

Lot 44 in Archer Heirs
Addition to the City of Fort
Wayne, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No.
L-18, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage, any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 9-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Zoning Map Ordinance
No. Z-13-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 24th day of September, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-03

SPECIAL ORDINANCE NO. S-154-86

AN ORDINANCE approving Change Order No. 1 for Res. 5989-83, Barr Street Improvements, Alternate II, with L.W. Dailey, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Res. 5989-83, Barr Street Improvements, Alternate II, with L.W. Daily Inc., in connection with the Board of Public Works and Safety, for:

This Change Order is necessary to balance the accounting of the contract to show final cost;

involving a net decrease of One Thousand One Hundred Sixty-Six and 83/100 Dollars (\$1,166.83), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-154-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-04

SPECIAL ORDINANCE NO. S-155-86

AN ORDINANCE approving Change Order No. 1 for Res. 5989-83, Barr Street Improvements - Base Bid, with L. W. Dailey, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Res. 5989-83, Barr Street Improvements - Base Bid, with L.W. Dailey, Inc., in connection with the Board of Public Works and Safety, for:

balancing the accounting of the contract to show final cost;

involving a net decrease of Two Thousand Eight Hundred Seventy-Four 52/100 Dollars (\$2,874.52), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-155-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-05

SPECIAL ORDINANCE NO. S-156-86

AN ORDINANCE approving Change Order No. 1
(FINAL) for Water Contract 86-XP-2, West
Jefferson Blvd., with All Star
Construction & Excavating, in connection
with the Board of Public Works
and Safety of the City of
Fort Wayne, Indiana

NOW, THEREFORE BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 (FINAL) for
Water Contract 86-XP-2, West Jefferson Blvd., with All Star
Construction and Excavating, in connection with the Board of
Public Works and Safety, for:

This Change Order is necessary to equate
contract amount to correct amounts for
work actually performed. Item 9
reflects additional cost for rip rap,
due to reconstruction ditch, per county
surveyor's request;

involving a net increase of One Thousand Five Hundred
Ninety-Five and 13/100 Dollars (\$1,595.13), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 1. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-156-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 24th day of September, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-06

SPECIAL ORDINANCE NO. S-157-86

AN ORDINANCE approving Water Contract 86-XP-5 - Ardmore Avenue Water Main, between Land Excavating, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract 86-XP-5, by and between Land Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the installation of 50 ± L.F. of 6" and 700 ± L.F. of 12" water main on Ardmore Avenue from Engle Road, northward to Westbury Drive;

the Contract price is Twenty-Two Thousand Eight Hundred Twenty-Five and No/100 Dollars (\$22,825.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-157-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. X-86-09-07

ANNEXATION ORDINANCE NO. X-06-86

ANNEXATION ORDINANCE annexing certain territory commonly known as the Merak Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 5

WHEREAS, at lease fifty-one percent (51%) of the owners and owners of more than 75% of the assessed value of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate limits; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory shall be annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, in accordance with the conditions set forth herein: to-wit:

Part of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana; thence South along the East line of the SW 1/4 of Sec. 36-30-12, a distance of 400.0 feet to the Point of Beginning; thence continuing South along said East line of the SW 1/4 of Sec. 36-30-12, 2060.0 feet; thence West with a deflection angle to the right of 89 degr. 35 min. 40 sec. a distance of 1314.0 feet to a point on the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12; thence North with a deflection angle to the right of 90 degr. 19 min. and along the West line of the E 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 1148.0 feet; thence West with a deflection angle to the left of 90 degr. 22 min. 30 sec. along the South line of the N 1/2 of the SW 1/4 of Sec. 36-30-12, a distance of 656.34 feet; thence North with a deflection angle to the right of 90 degr. 27 min. 50 sec. a distance of 914.0 feet; thence East with a deflection angle to the right of 89 degr. 38 min. and parallel to the North line of the SW 1/4 of Sec. 36-30-12, a distance of 1972.12 feet to the Point of Beginning, containing 75.98 acres, more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection and fire protection, in a manner which is

equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic District No. 5 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication. The above described territory shall become a part of the City of Fort Wayne sixty days after the date of last legal publication.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-06-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of
September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-08

RESOLUTION NO. R-69-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana
setting forth the policy of the City
of Fort Wayne, Indiana in regard
to the Merak Annexation

WHEREAS, the annexation of territory to the City
of Fort Wayne is a legislative function; and

WHEREAS, the Common Council of the City of Fort
Wayne is called upon in the preparation of the City budget
to provide for the furnishing of municipal services to the
entire City, including newly annexed areas; and,

WHEREAS, the Common Council desires that newly
annexed areas receive the full measure of municipal
services; and,

WHEREAS, the Common Council of The City of Fort
Wayne has before it an Ordinance for the annexation of the
Merak Annexation Area, more specifically described as
follows, to-wit:

Part of the Southwest Quarter of Section
36, Township 30 North, Range 12 East,
Allen County, Indiana, more particularly
described as follows:

Commencing at the Northeast corner of
the Southwest Quarter of Section 36,
Township 30 North, Range 12 East, Allen
County, Indiana; thence South along the
East line of the SW 1/4 of Sec.
36-30-12, a distance of 400.0 feet to
the Point of Beginning; thence
continuing South along said East line of
the SW 1/4 of Sec. 36-30-12, 2060.0
feet; thence West with a deflection
angle to the right of 89 degr. 35
min. 40 sec. a distance of 1314.0
feet to a point on the West line of the
E 1/2 of the SW 1/4 of Sec. 36-30-12;
thence North with a deflection angle to
the right of 90 degr. 19 min. and along
the West line of the E 1/2 of the SW 1/4
of sec. 36-30-12, a distance of 1148.0
feet; thence West with a deflection
angle to the left of 90 degr. 22
min. 30 sec. along the South line of the
N 1/2 of the SW 1/4 of Sec. 36-30-12, a
distance of 656.34 feet; thence North
with a deflection angle to the right of
90 degr. 27 min. 50 sec. a distance of
914.0 feet; thence East with a
deflection angle to the right of 89
degr. 38 min. and parallel to the
North line of the SW 1/4 of Sec.
36-30-12, a distance of 1972.12 feet to
the Point of Beginning, containing 75.98
acres, more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the Merak
Annexation, it is the policy of the City of Fort Wayne to
follow the provisions of Section 1.1 of Chapter 2 of the
Municipal Code of the City of Fort Wayne, Indiana of 1974,

as amended, with regards to the provision of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City of Fort Wayne to follow the annexation fiscal plan for said described territory, as prepared by the Division of Community Development and Planning, which is attached hereto and incorporated herein.

SECTION 3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

SECTION 4. That said plan is hereby approved and adopted by the Common Council of the City of Fort Wayne, Indiana and shall be in full force and effect upon the effective date of the Merak Annexation Ordinance.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 9-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-69-86 on the 23rd day of September, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of September, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-11

DECLARATORY RESOLUTION NO. R-70-86

A DECLARATORY RESOLUTION confirming
the designation of an "Economic
Revitalization Area" under I.C.
6-1.1-12.1 for property commonly
known as 8000 Bluffton Road,
Fort Wayne, Indiana 46809. (Bowmar Instrument
Corporation/Aerospace Division,
Petitioner)

WHEREAS, Common Council has previously designated
by Declaratory Resolution the following described property
as an "Economic Revitalization Area" under Division 6,
Article II, Chapter 2 of the Municipal Code of the City of
Fort Wayne, Indiana, of 1974, as amended and
I.C. 6-1.1-12.1., to-wit:

S550 of N 775 of E 792 FT SE
1/4
533 EX ST:

said property more commonly known as 8000 Bluffton Road,
Fort Wayne, Indiana 46809;

WHEREAS, recommendation have been received from
the Committee on Finance and the Department of Economic
Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of
said Resolution has been published in accordance with
I.C. 5-3-1 and a public hearing has been conducted on said
Resolution;

WHEREAS, if said Resolution involves an area that
has already been designated an allocation area under
I.C. 36-7-12-39, the Fort Wayne Redevelopment Commission has
adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously
designating the above described property an "Economic
Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described
property is hereby declared an "Economic Revitalization
Area" pursuant to I.C. 6-1.1-12.1, said designation to begin
on the effective date of this Resolution and continue for a
one (1) year period. SAid designation shall terminate at
the end of that one (1) year period.

SECTION 3. That, said designation of the
hereinabove described property as an "Economic
Revitalization Area" shall only apply to a deduction of the
assessed value of personal property for new manufacturing
equipment.

SECTION 4. That this Resolution shall be in full

force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bardbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-70-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-13

DECLARATORY RESOLUTION NO. R-71-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Conastoga Drive, Centennial Industrial Park, Fort Wayne, Indiana. (Fort Wayne Foundry Corp., Machining Division Cole Pattern & Engineering Co., Inc., Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1., to-wit:

Part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West half of the Southeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence West along the South line of the W1/2 of the SE1/4 of Sec. 28-31-12, and the South line of the E1/2 of the SW 1/4 of Sec. 28-31-12, a distance of 1475.0 feet; thence North with a deflection angle to the right of 89 degr. 54 min. 20 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 701.45 feet; thence East with a deflection angle to the right of 89 degr. 45 min. 20 sec. and parallel to the South line of Centennial Industrial Park Section III, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, a distance of 155.0 feet to the point of beginning; thence North with a deflection angle to the left of 89 degr. 45 min. 20 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 392.8 feet; thence East with a deflection angle to the right of 89 degr. 45 min. 20 sec. parallel to the South line of Centennial Industrial Park, Section III, a distance of 520.0 feet; thence South with a deflection angle to the right of 90 degr. 14 min. 40 sec. and parallel to the East line of the W1/2 of the SE1/4 of Sec. 28-31-12, a distance of 392.8 feet; thence West with a deflection angle to the right of 89 degr. 45 min. 20

Centennial Industrial Park, Section
a distance of 520.0 feet to the point of
beginning, containing 4.689 acres;

said property more commonly known as Conastoga Drive,
Centennial Industrial Park, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from
the Committee on Finance and the Department of Economic
Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of
said Resolution has been published in accordance with
I.C. 5-3-1 and a public hearing has been conducted on said
Resolution;

WHEREAS, if said Resolution involves an area that
has already been designated an allocation area under
I.C. 36-7-12-39, the Fort Wayne Redevelopment Commission has
adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously
designating the above described property an "Economic
Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described
property is hereby declared an "Economic Revitalization
Area" pursuant to I.C. 6-1.1-12.1 said designation to begin
on the effective date of this Resolution and continue for a
one (1) year period. Said designation shall terminate at
the end of that one (1) year period.

SECTION 3. That, said designation of the
hereinabove described property as an "Economic
Revitalization Area" shall only apply to a deduction of the
assessed value of both real estate and personal property for
new manufacturing equipment.

SECTION 4. That it is the preliminary intent of
Common Council to recommend a ten (10) year deduction from
the assessed value of the real property. However, pursuant
to I.C. 6-1.1-12.1-3(b), final determination of the length
of the entitled deduction will not be made by Common Council
until receipt from the County Auditor of the owner's
application.

SECTION 5. That this Resolution shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-71-86 on the 14th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-09-15

DECLARATORY RESOLUTION NO. R-72-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1311 E. Wallace, Fort Wayne, Indiana 46803. (Miller Stamping & Tool, Inc., Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1., to-wit:

The Southerly 60.0 feet of the Easterly 10.0 feet of the Northerly 77.65 feet of the Westerly half of Lot #13; and also The Easterly Half of Lot Numbered Thirteen (13) in Hanna Creighton Subdivision in the City of Fort Wayne, Indiana, Section Two, according to the plat thereof recorded in the Office of the Recorder of Allen County, Indiana;

said property more commonly known as 1311 E. Wallace, Fort Wayne, Indiana 46803;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designed an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a one (1) year period. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic

Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. However, pursuant to I.C. 6-1.1-12.1-3(b), final determination of the length of the entitled deduction will not be made by Common Council until receipt from the County Auditor of the owner's application.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-72-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-09-16

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. N-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 (Light Industrial) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lot No. 31 in Industrial Park Addition,
and the symbols of the City of Fort Wayne Zoning Map No.
N-7, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval by
the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Stier, and duly adopted, placed on its
passage. LOST by the following vote:

AYES: None

NAYS: Nine

Redd, Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Schmidt, Stier, Talarico

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

BILL NO. R-86-09-19

RESOLUTION NO. R-73-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing the City of Fort Wayne,
to participate in and apply
for a Certified Local
Government Grant

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City, by and through its
Department of Community Development and Planning, is hereby
authorized and empowered to participate in and apply for a
Certified Local Government Grant, as noted on the attached
Exhibit "A".

SECTION 2. That the Mayor and his duly
authorized representatives, are hereby empowered and
authorized to execute any and all documents necessary to
accomplish the above and foregoing. All previous action
associated with the Grant is hereby ratified and confirmed.

SECTION 3. That this Resolution shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Resolution No. R-73-86 on the
14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-05 (AS AMENDED)

RESOLUTION NO. R-LOST

A RESOLUTION CONCERNING INCREASES
IN RENT IN FORT WAYNE

WHEREAS, shelter is one of humankind's basic needs; and

WHEREAS, the amount of new construction of rental housing has been suppressed in part because of fluctuation of interest rates, proposed changes in tax laws, and other factors; and

WHEREAS, unreasonable increases in rental rates can put enormous stress on renters' budgets, as well as their sense of well being.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Fort Wayne urges owners of apartments and other rental housing units, as well as owners of mobile home parks to use restraint and responsibility when considering rental rate increases.

Janet G. Bradbury
Councilmember

Read the third time in full and on motion by Bradbury, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Three

Bradbury, Henry, Redd

NAYS: Six

Burns, Eisbart, GiaQuinta, Schmidt, Stier,
Talarico

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

BILL NO. S-86-09-20

SPECIAL ORDINANCE NO. S-158-86

AN ORDINANCE approving Change Order
No. 2 (FINAL) for 85-W-4, Redwood-
Chestnut Tank Painting, with Neumann
Company Contractors, Inc., in connection
with the Board of Public Works
and Safety of the City of
Fort Wayne, Indiana

NOW, THEREFORE BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 (FINAL) for
85-W-4, Redwood-Chestnut Tank Painting, with Neumann Company
Contractors, Inc., in connection with the Board of Public
Works and Safety, for:

This Change Order is necessary because
grinding was performed to achieve the
smooth surface required for good coating
adhesion;

involving a net increase of Eight Thousand Five Hundred and
No/100 Dollars (\$8,500.00), all as more particularly set
forth in the specifications, and which is on file with the
Office of the Board of Public Works and Safety and is by
reference incorporated herein, made a part hereof, and is
hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Henry, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Special Ordinance
No. S-158-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-21

SPECIAL ORDINANCE NO. S-159-86

AN ORDINANCE approving Contract #423-1986, Pierson Ditch-Lagoon Levee, between the City of Fort Wayne, Indiana and T-G Excavating, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract #423-1986, Pierson Ditch-Lagoon Levee, between the City of Fort Wayne and T-G Excavating, Inc., by and through its Board of Public Works and Safety, is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

the repair of a 300' washout of an existing levee located along the East side of the Pierson Drain. Said washout is more particularly described as being located on the Pierson Ditch approximately 1750 ± L.F. South of the intersection of Reed Road and Lake Avenue. Said repairs will consist of completely brushing and removal from jobsite all vegetation/plant life to specifications and the placement of underlayment of concrete slab with compacted earth to prevent bank erosion with a possible overlay of revetment rip rap;

the Contract price is Fifty-Two Thousand Five Hundred Twenty-Four and No/100 Dollars (\$52,524.00).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on September 9, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Henry, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Special Ordinance
No. S-159-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 15th day of October, 1986, at the
hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of
October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

SPECIAL ORDINANCE NO. S-160-86

AN ORDINANCE approving Water Contract 86-XP-3, North Clinton Street Water Main Extension, between All Star Construction & Excavating, Inc., and The City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract 86-XP-3, North Clinton Street Water Main Extension, by and between All Star Construction & Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the intallation of ductile iron water main as follows: 900 + L.F. of 12" and 3,300 + L.F. north of River Cove Trail, Northward to Clinton Park and including Clinton Park;

the Contract price is One Hundred Twenty-Six Thousand Fifty-Eight and 65/100 Dollars (\$126,058.65), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a aprt hereof, and is hereby in all things ratified, confirmedand approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance

No. S-160-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-23

SPECIAL ORDINANCE NO. S-161-86

AN ORDINANCE approving Water Contract 86-04, Kirkwood Park, Phase I between Bercot, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract 86-04, Kirkwood Park, Phase I, by and between Bercot, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

installation of ductile iron water main as follows: 1,800 \pm L.F. of 6" and 685 \pm L.F. of 4" water main on Kirkwood Drive, and, on Kirkwood Circle, between Springfield Avenue and Trier Road;

the Contract price is Sixty-Seven Thousand Five Hundred Twenty-Nine and No/100 Dollars (\$67,529.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-161-86 on the 14th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-24

SPECIAL ORDINANCE NO. S-162-86

AN ORDINANCE approving Contract
for Res. 895-86 - Illinois Road
Sanitary Sewer Extension, between
John Dehner, Inc., and the City of
Fort Wayne, Indiana, in connection
with the Board of Public Works
and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Res. 895-86 -
Illinois Road Sanitary Sewer Extension, by and between John
Dehner, Inc., and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works and Safety, for:

Construction of sanitary sewer
as per the attached
resolution;

the Contract price is One Hundred Sixty-Thousand Seven
Hundred Forty-Six and 94/100 Dollars (\$160,746.94), all as
more particularly set forth in said Contract, which is on
file in the Office of the Board of Public Works and Safety
and, is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved. Two (2) copies of said Contract are on file with
the Office of the City Clerk and made available for public
inspection, according to law.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by GiaQuinta, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Special Ordinance No.
S-162-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-25

SPECIAL ORDINANCE NO. S-163-86

AN ORDINANCE approving Water Contract 86-XP-4, Wallen-Coldwater Road Connection, between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract 86-XP-4, Wallen-Coldwater Road Connection, by and between Schedileman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the installation of ductile iron Water Main as follows:
3,800 L.F. of 12" water main on Wallen Road and Coldwater Road, from an existing water main at Newberry Drive and Wallen Road, westward on Wallen Road 2,300 L.F. to terminus; and, on Coldwater Road, from Wallen Road, northward 1,300 L.F.;

the Contract price is Eighty-Nine Thousand Two Hundred Seventy-One and 50/100 Dollars (\$89,271.50), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-163-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-26

SPECIAL ORDINANCE NO. S-164-86

AN ORDINANCE approving Water Contract for 86-XP-6, Production-Newaygo Roads Water Connection, between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract for 86-XP-6, Production-Newaygo Roads Water Connection, by and between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

85 ± L.F. of 6" and 650 ± L.F. of 12" Ductile Iron Water Main on Production Road, starting 400 feet west of Newaygo Road, then eastward 650 ± L.F. feet to terminus;

the Contract price is Twenty-Eight Thousand Eight Hundred Ninety-five and 55/100 Dollars (\$28,895.55), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance

No. S-164-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-09-27

SPECIAL ORDINANCE NO. S-165-86

AN ORDINANCE approving Change Order No. 1 (FINAL) for Water Contract 85-XP-7, 16" Water Main to North American Van Lines, with All Star Construction, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 (FINAL) for Water Contract 85-XP-7, 16" Water Main to North American Van Lines, with All Star Construction, Inc., in connection with the Board of Public Works and Safety, for:

This Change Order is necessary because planned easement could not be obtained along Washington Center Road. Therefore, main had to be installed in right-of-way which required the additional quantities;

involving a net increase of Two Thousand Nine and 54/100 Dollars (\$2,009.54), all as more particularly set forth in the specifications, and which is on file with the file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-165-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. X-86-05-47

ANNEXATION ORDINANCE NO. X-07-86

AN ORDINANCE annexing certain territory commonly known as the Baer Field Industrial Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in Sections 3, 4, 5, 8, 9, and 10, Township 29 North, Range 12 East, and in Sections 33 and 34, Township 30 North, Range 12 Est, Allen County, Indiana and more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the Southeast One-quarter of Section 5, Township 29 North, Range 12 East; thence South along the East line of the West One-half of said Southeast One-quarter a distance of 736.3 feet; thence deflecting right 90 degrees 00 minutes a distance of 101.1 feet; thence deflecting left 90 degrees 00 minutes a distance of 173.5 feet; thence deflecting right 33 degrees 09 minutes a distance of 88.3 feet; thence deflecting left 90 degrees 18 minutes a distance of 82.0 feet to the Westerly right-of-way line of the Indianapolis Road; thence deflecting right 89 degrees 24 minutes a distance of 380.0 feet along the Westerly right-of-way line of the Indianapolis Road; thence continuing along the Westerly right-of-way line of the Indianapolis Road on a curve to the left having a radius of 7,122 feet a distance of 732.8 feet to a point 960.0 feet Northeasterly of the centerline of Runway 13-31 measured at a right angle to the centerline of the runway; thence defecting left on a line parallel with the centerline of Runway 13-31 Southeasterly a distance of 983.2 feet; thence South a distance of 2.5 feet to the South line of said Section 5 (also the North line of Section 8, Township 29 North, Range 12 East, Allen County, Indiana); thence continuing South a distance of 40.0 feet to the South right-of-way line of the Ferguson

right-of-way line and parallel with North line of said Section 8 a distance of 1370.5 feet to the East line of Section 8 and West line of Section 9, Township 29 North, Range 12 East; thence continuing East along the South right-of-way line of Ferguson Road to the East right-of-way line of Bluffton Road (State Road #1); thence North along the East right-of-way line of Bluffton Road to the South line of Section 34, Township 30 North, Range 1 East; thence West along the South line of said Section 34 and the South line of Section 33 to the West bank of the Harbor Ditch; thence in a Northwesterly direction along the West bank of the Harbor Ditch to the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East; thence South along the East line of the Southwest quarter of Section 33 to a point 85 feet South of the North line of Section 4, Township 29 North, Range 12 East; thence West along a line 85 feet South of and parallel to the North line of said Section 4 to the East right-of-way line of Indianapolis Road; thence North along the East right-of-way line of Indianapolis Road to the South line of Section 33, Township 30 North, Range 12 East; thence West along the South line of said Section 33 to the West right-of-way of Indianapolis Road; thence Southwest along the West right-of-way of Indianapolis Road to its intersection with the East-West centerline of Section 5, Township 29 North, Range 12 East; thence West along the East-West centerline of said Section 5 to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner

consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1986 or immediately after the remonstrance period has expired, whichever is later.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 10-14-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-07-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-05-48

RESOLUTION NO. R-74-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana
setting forth the policy of the
City of Fort Wayne, Indiana in regards
to the annexation of the Baer Field
Industrial Annexation Area

WHEREAS, the annexation of territory to the City
of Fort Wayne is a legislative function; and

WHEREAS, the Common Council of the City of Fort
Wayne is called upon in the preparation of the City budget
to provide for the furnishing of municipal services to the
entire City, including newly annexed areas; and,

WHEREAS, the Common Council of the City of Fort
Wayne has before its an Ordinance for the annexation of the
Baer Field Industrial Annexation Area, more specifically
described as follows, to-wit:

A parcel of land located in Sections 3,
4, 5, 8, 9, and 10, Township 29 North,
Range 12 East, and in Sections 33 and
34, Township 30 North, Range 12 East,
Allen County, Indiana and more
particularly described as follows:

Commencing at the Northeast corner of
the West One-half of the Southeast
One-quarter of Section 5, Township 29
North, Range 12 East; thence South along
the East line of the West One-half of
said Southeast One-quarter a distance of
736.3 feet; thence deflecting right 90
degrees 00 minutes a distance of
101.1 feet; thence deflecting left 90
degrees 00 minutes a distance of 173.5
feet; thence deflecting right 33 degrees
09 minutes a distance of 88.3 feet;
thence deflecting left 90 degrees 18
minutes a distance of 82.0 feet to the
Westerly right-of-way line of the
Indianapolis Road; thence deflecting
right 89 degrees 24 minutes a distance
of 380.0 feet along the Westerly
right-of-way line of the Indianapolis
Road; thence continuing along the
Westerly right-of-way line of the
Indianapolis Road on a curve to the left
having a radius of 7,122 feet a distance
of 732.8 feet to a point 960.0 feet
Northeasterly of the centerline of
Runway 13-31 measured at a right angle
to the centerline of the runway; thence
deflecting left on a line parallel with
the centerline of Runway 13-31
Southeasterly a distance of 983.2 feet;
thence South a distance of 2.5 feet to

(also the North line of Section Township 29 North, Range 12 East, County, Indiana); thence continuing South a distance of 40.0 feet to the South right-of-way line of the Ferguson Road; thence East along said South right-of-way line and parallel with the North line of said Section 8 a distance of 1370.5 feet to the East line of Section 8 and the West line of Section 9, Township 29 North, Range 12 East; thence continuing East along the South right-of-way line of Ferguson Road to the East right-of-way line of Bluffton Road (State Road #1); thence North along the East right-of-way line of Bluffton Road to the South line of Section 34, Township 30 North, Range 12 East; thence West along the South line of said Section 34 and the south line of Section 33 to the West bank of Harber Ditch; thence in a Northwesterly direction along the West bank of the Harber Ditch to the East line of the southwest quarter of Section 33, Township 30 North, Range 12 East; thence South along the East line of the Southwest quarter of Section 33 to a point 85 feet South of the North line of Section 4, Township 29 North, Range 12 East; thence West along a line 85 feet South of and parallel to the North line of said Section 4 to the East right-of-way line of Indianapolis Road; thence North along the East right-of-way line of Indianapolis Road to the South line of Section 33, Township 30 North, Range 12 East; thence West along the South line of said Section 33 to the West right-of-way of Indianapolis Road; thence Southwest along the West right-of-way of Indianapolis Road to its intersection with the East-West centerline of Section 5, Township 29 North, Range 12 East; thence West along the East-West centerline of said Section 5 to the point of beginning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the Baer Field Industrial Annexation, it is the policy of the City of Fort Wayne to follow the provisions of Section 1.1 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended, with regards to the provisions of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City of Fort Wayne to follow the annexation fiscal plan for said

described territory, as prepared by the Division of Community Development and Planning, which is attached hereto and incorporated herein.

SECTION 3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

SECTION 4. That said plan is hereby approved and adopted by the Common Council of the City of Fort Wayne, Indiana and shall be implemented upon the date of incorporation of the above described territory into the City of Fort Wayne.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-74-86 on the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 16th day of October, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-09-09 (as amended) (as amended)

GENERAL ORDINANCE NO. G-34-86

AN ORDINANCE regulating the use and
placement of signs within the City
of Fort Wayne, Indiana

THIS ORDINANCE MAY BE REVIEWED IN THE OFFICE OF THE
CITY CLERK.

Read the third time in full and on motion by Eisbart,
seconded by Stier, and duly adopted, placed on its passage. PASSED
by the following vote:

AYES: Seven
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier

NAYS: One
Talarico

ABSTAINED: One
GiaQuinta

ABSENT: One
None

DATE: 10-14-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as General Ordinance No. G-34-86 on
the 14th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 17th day of October, 1986, at the hour of
10:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 17th day of October,
1986, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. A-86-10-01

APPROPRIATION ORDINANCE NO. A-07-86

AN ORDINANCE of the City of Fort Wayne, Indiana appropriating the sum of Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) to be applied on the cost of construction, reconstruction and repair of certain streets, thoroughfares and sidewalks together with installation of street lights and for such other public improvements as determined by the City and expenses incurred in connection therewith

WHEREAS, a petition has been filed under the provisions of Indiana Code 6-1.1-20-3, by more than fifty (50) owners of taxable real estate in the City of Fort Wayne, requesting the Common Council to issue bonds of the City in an amount not exceeding Eight Million Dollars (\$8,000,000.00), for the purpose of procuring funds to be applied to the cost of construction, reconstruction and repair of certain streets, thoroughfares, and sidewalks in said City, installation of street lights, and for such other public improvements as determined by the Board of Public Works and Safety of the City of Fort Wayne, and all expenses necessarily incurred in connection with said proceedings, which petition the Council has found to be in due form of law and sufficient under the provisions of said act; and

WHEREAS, the Council has previously authorized the issuance of Four Million Four Hundred Eighty Thousand Dollars (\$4,480,000.00) of General Obligation Bonds and has appropriated said amount for the improvements referred to herein; and

WHEREAS, the Council now finds that the City has no funds available or provided for in the existing budget and tax levy which may be applied on Phase II of said project, and the issuance of bonds in the amount of Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000.00) has been authorized for that purpose; that an extraordinary emergency exists for the making of the additional appropriation hereinafter set out; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sum of Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000.00) be appropriated out of the proceeds of the bonds designated as "Municipal Bonds of 1986", Series II, heretofore authorized to be issued for the purpose of providing funds to be applied to the cost of construction, reconstruction and repair of certain streets, thoroughfares, and sidewalks in said City, installation of street lights, and for such other public improvements as determined by the Board of Public Works and Safety of the City of Fort Wayne, Indiana, together with the incidental expenses to be incurred in connection with said project and the issuance of bonds on account thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Absent:
One
Henry

DATE: 10-21-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-07-86 on the 21st day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of October, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of October, 1986, at the hour of 10:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-02

SPECIAL ORDINANCE NO. S-166-86

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,520,000.00 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING NEIGHBORHOOD PUBLIC IMPROVEMENTS (MUNICIPAL BONDS OF 1986-PHASE II); PROVIDING FOR THE DESIGNATION OF A BOND REGISTRAR, TRANSFER AGENT, PAYING AGENT AND INVESTMENT AGENT; AND APPROVING AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of Fort Wayne, Indiana, is a municipal corporation and political subdivision of the State of Indiana, and by virtue of the laws of the State of Indiana, including Indiana Code, Title 36, Article 4, Chapter 6, Section 19, is authorized and empowered to make loans of money for any proper governmental purpose and to provide for the repayment of said loans by the issuance of General Obligations Bonds, subject to the provisions of Indiana law, including Indiana Code, Title 6, Article 1.1, Chapter 20 (the "Act"); and

WHEREAS, a petition signed by more than fifty (50) owners of real property subject to taxation and located in the City of Fort Wayne, Indiana, and certified by the Allen County Auditor has been filed with this Common Council has provided for in Section 3 of the Act, requesting this Council to authorize the issuance of the City of Fort Wayne, Indiana, Municipal Bonds of 1986 in an amount not to exceed \$8,000,000 for the purpose of financing the costs of construction, reconstruction, and repair of certain streets, thoroughfares, and sidewalks in said City, installation of street lights and for such other public improvements as determined by the Board of Public Works and Safety of the City of Fort Wayne, Indiana, together with all the expenses necessarily incurred in connection with the issuance of said Bonds; and

WHEREAS, in response to said Petition, and in accordance with law, this Council adopted on the 25th day of March, 1986, Special Ordinance No. S-44-86 authorizing the issuance of \$8,000,000 in aggregate principal amount of General Obligation Bonds of the City of Fort Wayne; and

WHEREAS, it was subsequently determined that the public improvements contemplated to be financed through the issuance of said Bonds should be undertaken in two or more phases; and

WHEREAS, this Council adopted on the 5th day of August, 1986, Special Ordinance No. S-44-86 and authorized the issuance of \$4,480,000 in aggregate principal amounts of General Obligation Bonds of the City of Fort Wayne; and

WHEREAS, it is now the intent of this Council to authorize the issuance of the balance of the General Obligation Bonds initially petitioned for by the issuance of \$3,520,000 of the City of Fort Wayne Municipal Bonds of 1986

- Phase II.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Fort Wayne, Indiana;

SECTION 1. The City of Fort Wayne, Indiana shall issue its General Obligation Bonds in the aggregate principal amount of \$3,520,000, said Bonds to be designated City of Fort Wayne, Indiana, Municipal Bonds of 1986-Phase II. Said Bonds shall be fully registered bonds, shall be issued in denominations of \$5,000 or any interest multiple thereof, shall be dated as of the first day of the month in which the Bonds are sold, and shall bear interest at a rate or rates not exceeding nine (9) percent per annum, the exact rate or rates to be determined by the public sale of said Bonds as authorized and directed by law. Interest on the Bonds will be payable semi-annually on January 1 and July 1 of each year, beginning July 1, 1987. Said Bonds shall mature on January 1 of the years and in the amounts as listed below:

<u>YEAR</u>	<u>AMOUNT</u>
1988	\$235,000
1989	\$260,000
1990	\$285,000
1991	\$305,000
1992	\$330,000
1993	\$355,000
1994	\$385,000
1995	\$415,000
1996	\$445,000
1997	\$505,000

Bonds maturing on January 1, 1985, and thereafter are redeemable at the election of the City, in inverse order of maturities, on July 1, 1984, or on any interest payment date thereafter, subject to a redemption premium of three (3) percent.

The principal, premium if any, and interest on the Bonds shall be paid by check or draft, mailed or delivered to the registered holder thereof at this address as it appears on the registration books maintained by the City's Bond Registrar, except for the final payment which shall be made upon presentation of the Bonds at the corporate trust office of said Bond Registrar.

Section 2. Said Bonds shall be executed by the facsimile signature of the Mayor and attested by the facsimile signature of the City Comptroller and the Clerk who shall affix the Seal of the City thereto. The Bond Registrar shall manually authenticate each Bond with the signature of its designated authorized representative.

Section 3. The Mayor is hereby authorized to designate a Bond Registrar, Transfer Agent, and Paying Agent for the Bonds and is further authorized to enter into an Agreement with said Bond Registrar, Transfer Agent, and Paying Agent, as is customary in the Industry, said Agreement to be subject to the approval of the City

Attorney.

Section 4. The Mayor is also authorized to designate an Investment Agent for the purpose of investing the proceeds of the Bonds which Investment Agent may be one and the same entity as the Bond Registrar, Transfer Agent, and Paying Agent. The Mayor is further authorized to enter into an Agreement with said Investment Agent, as is customary in the industry, said Agreement to be subject to the approval of the City Attorney, provided, however, that such Agreement shall provide that the total amount of proceeds to be invested pursuant to said Agreement shall be invested and reinvested at a yield (calculated in a manner consonant with Section 103(c) of the Internal Revenue Code of 1954 of any successor provisions as contained in the Internal Revenue Code of 1986, and the regulations proposed and promulgated thereunder, particularly Section 1.103(c)13 thereof) not exceeding the yield (calculated in such manner) on the Bonds. Any investments acquired with the proceeds of the Bonds(i) shall be purchased at prevailing market prices and shall be limited to securities for which there is an established market or (ii) shall bear U.S. Treasury Obligations, State and Local Government Series. The aforementioned Investment Agreement must further provide that the Investment Agent covenants that at any time that it has discretion as to the investment of Bond proceeds, it will not use or invest the proceeds in any manner which will cause the Bonds to become Arbitrage Bonds within the meaning of Section 103(c) of the Internal Revenue Code of 1954, or any successor provisions of the Internal Revenue Code of 1986.

Section 5. Said Bonds shall be advertised for public sale and sold in the manner provided by law, said sale to be held as soon as practicable after all approvals are obtained. The proceeds from the sale of said Bonds, except the premium and/or accrued interest received, shall be paid into the proper fund and used for purposes aforesaid and for no other purposes. The premium and accrued interest, if any, shall be applied to the payment of the principal of an interest of said Bonds in the manner provided by law.

Section 6. Said Bonds shall be the full general obligations of the City of Fort Wayne, Indiana, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. During the period said Bonds remain unpaid and outstanding, there shall be and is hereby levied on all the taxable property in the City, in addition to all other taxes, but within applicable limitations, direct tax annually in an amount sufficient to pay the principal of, premium, if any, and interest on said Bonds when and as same fall due.

Said tax shall be and is hereby ordered levied and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of said years are collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, to be known as the "City of Fort Wayne 1986 Municipal Bond -

Phase II Fund", which, together with all interest collected on the same shall be irrevocably pledged for the payment of the principal of and interest on said Bonds when and as the same fall due, all as provided by law.

Section 7. This Common Council, for and on behalf of the City of Fort Wayne, Indiana, hereby covenants that it will restrict use of the proceeds of the Bonds hereby authorized in such a manner and to such an extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute "arbitrage bonds" under Section 103(c) of the Internal Revenue Code of 1954 or any successor provisions of the Internal Revenue Code of 1986, and the regulations prescribed thereunder. This Common Council hereby authorizes the Mayor, the Controller, or such other proper officer of the City to take all action necessary to assure compliance with all applicable tax provisions so that the Bonds issued herein will not constitute "arbitrage bonds" or will not lose their tax-exempt status. The Mayor or Controller or the proper officer having responsibility with respect to the issuance of said Bonds is authorized and directed to give an appropriate 'certificate or Certificates on behalf of the City on the date of delivery of said Bonds for inclusion of the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to use of the proceeds of said Bonds and their compliance with the provisions of Section 103(c) of the Internal Revenue Code of 1954 or any successor provisions of the Internal Revenue Code of 1986, and the regulations promulgated thereunder.

Section 8. It is hereby found and determined that all formal actions of this Common Council concerning and relating to the adoption of this Ordinance were adopted in Open Meetings of this Council and any of its committees, which meetings were held in compliance with all legal requirements including Indiana Code Title Five, Article 14, Chapter 1.5.

Section 9. This Ordinance shall be effective from and after passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Henry

DATE: 10-21-86

Sandra E. Kennedy
City Clerk

BILL NO. S-86-10-03

SPECIAL ORDINANCE NO. S-167-86

AN ORDINANCE concerning the refunding of an indebtedness of the municipal waterworks incurred for the acquisition and construction of water facilities by the municipal waterworks of the City of Fort Wayne, the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, matters connected therewith, and repealing ordinances in conflict therewith

WHEREAS, the City of Fort Wayne is the owner of and operates an unencumbered waterworks system furnishing the public water supply to said City and its inhabitants; and

WHEREAS, the Board of Public Works of the City of Fort Wayne, having the management of said waterworks, having determined that said waterworks should acquire and construct certain water facilities in order to furnish better service to the inhabitants of the City; and

WHEREAS, the City is indebted for said acquisition and construction in the amount of \$3,500,000 and desires to refund that indebtedness; and

WHEREAS, the Common Council of the City of Fort Wayne now finds that said indebtedness is subject to pre-payment at any time and that it would be advantageous to the City to refund said indebtedness; and

WHEREAS, the Board of Public Works has determined and the Common Council of the City of Fort Wayne now finds that said waterworks is in need of certain extensions and additions consisting of main extension, pumping equipment, meters, and like equipment, which are required in order to properly protect the health, well-being, and property of the City and its inhabitants; and

WHEREAS, the cost of said refunding and said extensions and additions will be in an amount not to exceed Six Million Two Hundred Fifteen Thousand Dollars (\$6,215,000), including all incidental expenses necessary to be incurred in connection therewith and in connection with the issuance of bonds on account thereof; and

WHEREAS, the Common Council finds that funds required for said refunding and said extensions and additions should be provided, subject to the jurisdiction of the Public Service Commission, by the issuance and sale of revenue bonds payable solely out of the earnings of the waterworks after providing for the payment of operation and maintenance expenses of said waterworks and not constituting a general obligation of the City; and

WHEREAS, the City has outstanding certain Waterworks Revenue Bonds of 1967 (the "1967 Bonds") in the

amount of One Million Nine Hundred Eighty Thousand Dollars (\$1,980,000) maturing annually over a period ending January 1, 2000, which bonds constitute a first charge upon a portion of the gross revenues of the waterworks and are on a parity with the hereinafter described 1968 Bonds and the hereinafter described 1978 Bonds; and

WHEREAS, the City also has outstanding certain Waterworks Revenue Bonds of 1968 (the "1968 Bonds") in the amount of Two Million One Hundred Eighty Thousand Dollars (\$2,180,000), and maturing annually over a period ending January 1, 2000, which bonds constitute a first charge upon a portion of the gross revenues of the waterworks and are on a parity with the 1967 Bonds and the hereinafter described 1978 Bonds; and

WHEREAS, the City also has outstanding certain Waterworks Revenue Bonds of 1978 (the "1978 Bonds") in the amount of Fifteen Million Three Hundred Seventy-Five Thousand Dollars (\$15,375,000), maturing annually over a period ending January 1, 2003, which bonds constitute a first charge upon a portion of the gross revenues of the waterworks and are on a parity with the 1967 Bonds and the Bonds; and

WHEREAS, the City also has outstanding certain Junior Waterworks Refunding Revenue Bonds of 1982 (the "1982 Bonds") in the amount of One Million Three Hundred Seventy Five Thousand Dollars (\$1,375,000), maturing annually over a period ending January 1, 2002, which bonds constitute a second charge upon a portion of the gross revenues of the waterworks and are junior to the 1967 Bonds, the 1968 Bonds, and the 1978 Bonds; and

WHEREAS, the revenue bonds authorized under this Ordinance shall be junior and subordinate to the 1967 Bonds, 1968 Bonds and the 1978 Bonds and shall be on parity with the 1982 Bonds, which bonds shall constitute a second charge upon a earnings of said waterworks remaining after providing for the payment of expenses of operation and maintenance expenses of the waterworks; and

WHEREAS, the Common Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of revenue bonds to provide the necessary funds to be applied on the cost of refunding said indebtedness and providing said extensions and additions have been complied with in accordance with the provisions of the governing statutes; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), being the owner of and engaged in operating an unencumbered waterworks system supplying the City and its inhabitants with water, now provides for certain needed extensions and additions to such waterworks and for refunding a short term indebtedness incurred by the City to provide funds to pay for an acquisition and construction of water facilities by the

and replacements thereof made subsequently, shall continue to set aside into said separate and special fund, and shall be used and applied in the maintenance and operation thereof, in establishing a depreciation account, and for payment of the bonds and the interest thereof which are payable from the revenues of the waterworks. From and after the date on which the new schedule of water rates to be adopted becomes effective, the proportion of the gross revenues of said waterworks that shall be paid into the several accounts of said special fund, as provided by the Ordinances authorizing the 1967 Bonds, the 1968 Bonds, the 1978 Bonds and the 1982 Bonds, is hereby fixed and determined as follows:

(a) Operation and Maintenance Account. Sixty-one percent (61%) of the gross revenues of said waterworks shall be paid into the "Operation and Maintenance Account," and shall be used to pay the necessary cost of the reasonable and proper operation and maintenance of the waterworks, including any taxes required to be paid. The sum so set aside for operation and maintenance shall be applied exclusively to that purpose until a surplus shall have been accumulated in the Operation and Maintenance Account which shall be equal to the cost of maintaining and operating the waterworks during the remainder of the calendar, operating for fiscal year then current and the cost of maintaining and operating the waterworks during the calendar, operating or fiscal year then next ensuing. Any excess over such surplus may be transferred by the Common Council to either the Depreciation Account or the Bond and Interest Redemption Account.

(b) Depreciation Account. Ten percent (10%) of the gross revenues of said waterworks shall be paid into the "Depreciation Account" and shall be expended in making good depreciation in the waterworks, or in new construction, extensions or addition to the property of the waterworks. Any accumulations in such Depreciation Account not required for immediate use may be invested in direct obligations of the United States Government, and if so invested the income from the investment shall accrue to the Depreciation Account. Said account shall not be used for any purpose other than as herein provided.

(c) Bond and Interest Redemption Account. Twenty-nine percent (29%) of the gross revenues of the waterworks shall, as such revenues are received, be set apart and paid into a special account to be identified as the "Bond and Interest Redemption Account." The funds in said account shall be used in the following order:

(1) solely for the purpose of paying the interest on, principal of and the reserves for, the 1967 Bonds, the 1968 Bonds and the 1978 Bonds which, by their terms, are payable from the revenues of the waterworks and any bonds hereafter issued ranking on a parity therewith, to the extent required for that purpose; and

(2) solely for the purpose of paying the interest on, the principal of, and the reserves for, the 1982 Bonds which, by their terms, are payable from the gross revenues of the waterworks and the bonds issued pursuant to

the provisions of this Ordinance, which by their terms, are payable from the revenues of the waterworks both of which are junior and subordinate to the 1967 Bonds, the 1968 Bonds and the 1978 Bonds, and any bonds hereafter issued ranking on a parity with bonds authorized herein, to the extent required for that purpose.

If and when as surplus shall be created in said Bond and Interest REdemption Account which shall be in excess of the interest on and principal of the bonds, plus ten percent (10%) of the principal and interest payable during the then current calendar, operating or fiscal year, together with the amount of interest on nd principal of all bonds which will become due and payable during the calendar, operating or fiscal year then next ensuing, then the Common Council may transfer any excess over such surplus to either the Operating and Maintenance Account or to the Depreciation Account. The Common Council may also direct that any such excess over such surplus shall be used in the purchase of outstanding bonds. No further payments need be made into the Bond and Interest Redemption Account when the funds therein equal or exceed the amount of the principal of the bonds then outstanding interest thereon to the maturity date thereof. Funds necessary to pay the principal of and interest on outstanding bonds shall be remitted promptly to the paying agent bank or banks thereof on or prior to the due dates for the payment of interest and principal. In the event any of the bonds payable out of said Bond and Interest Redemption Account shall be subject to redemption prior to maturity, any such excess over such surplus may also be used in the redemption of outstanding bonds at not more than the redemption prices and in accordance with the redemption provisions applicable thereto.

Section 5. Beginning as of the date on which the 1967 Bonds, the 1968 Bonds, and 1978 Bonds and the 1982 Bonds are no longer outstanding, and only at such time, the gross revenues of the waterworks shall cease to be paid into the several accounts as provided for in Section 4 herein and shall be paid in accordance with this Section 5. Such portion of the Operation and Maintenance Account and the Depreciation Account existing pursuant to Section 4, together with such portion of the earnings of the existing waterworks and all extensions, additions, improvements thereto, and replacements thereof made subsequently, as are necessary to provide for the payment for operation and maintenance expenses of the waterworks, shall, as such accounts or earnings are received, be set apart and paid into a special account to be identified as the "Operation and Maintenance Account." The balance, if any, remaining in the Operation and Maintenance Account and the Depreciation Account established pursuant to Section 4 (to the extent not transferred to the Operation and Maintenance Account established in this Section 5), together with the Net Earnings of said waterworks shall be paid into the several accounts as follows:

(a) Bond and Interest Redemption Account. At least semi-annually, such portion of the Net Earnings of the waterworks as are necessary to provide for the payment of the interest on and principal of the revenue bonds and the creation of reserves for such payments shall, as such Net

Earnings are received, be set apart and paid into a special account to be identified as the "Bond and Interest Redemption Account." The reserve for the payment of the interest on and principal of the revenue bonds shall be equal to (1) the principal of all bonds which will become due and payable, and (2) the interest on all bonds which will accrue, during the one year period commencing on the date of each payment into the several accounts. The funds in said account shall be used solely for the purpose of paying the interest on, the principal of, and the reserves for, the bonds issued pursuant to the provisions of this Ordinance which, by their terms, are payable from the Net Earnings of the waterworks and any bonds hereafter issued ranking on a parity with the bonds authorized herein, to the extent required for that purpose.

The Common Council may also direct that any such excess over such surplus shall be used in the purchase of outstanding bonds. No further payments need be made into the Bond and Interest Redemption Account when the funds therein equal or exceed the amount of the principal of the bonds then outstanding and interest thereon to the maturity date thereof. Funds necessary to pay the principal of and interest on outstanding bonds shall be remitted promptly to the paying agent bank or banks therefor on or prior to the due dates for the payment of interest and principal. This money shall not be used for any other purpose.

(b) Waterworks Tax Account. In the event all required payments into the Bond and Interest Redemption Account have been met to date and there has been accumulated as a reserve in said Bond and Interest Redemption Account an amount equal to the respective sums required therein, then any excess Net Earnings of the waterworks available shall be placed in a Waterworks Tax Account (the "Waterworks Tax Account") to the extent necessary to provide for the payment of assessed taxes or payments in lieu of taxes.

(c) Special Utility Account. In the event that all required payments into the Bond and Interest Redemption Account and the Waterworks Tax Account (and any required payments of interest and principal on general obligation bonds or the creation of reserves, therefor, which may be hereinafter issued pursuant to the Water Act) have been met to date and there has been accumulated as a reserve in said Bond and Interest Redemption Account an amount equal to the respective sums required therein, then any excess Net Earnings of the waterworks available shall be placed in a Special Utility Account (the "Special Utility Account") to the extent necessary to provide for the payment of the extension, replacement in whole or in part, repair, and operation and maintenance of the waterworks.

Section 6. All of the funds of said several accounts shall be deposited in lawful depositories of the City and shall be continuously held, secured, or invested, as provided by the laws of Indiana relating to the depositing, securing, holding, or investing of public funds. The funds in said Bond and Interest Redemption Account shall be kept in a separate bank account apart from all other bank accounts of the City. In no event shall any of the Net Earnings of said waterworks be transferred or

used for any purpose not contemplated by this Ordinance.

The City covenants that it will not make any investment of moneys in said respective Accounts in any manner or take or fail to take any other action which would result in the bonds constituting arbitrage bonds within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, supplemented or succeeded, including, but not limited to, Section 148 of the Internal Revenue Code of 1986 (the "Code") of the Treasury Regulations or any Revenue Rulings promulgated thereunder, or any applicable successor Section, Regulation, or Ruling, or as determined by any court of competent jurisdiction.

Section 7. For the purpose of procuring funds with which to pay the cost of said refunding, extensions and additions, and issuance expenses, the City of Fort Wayne shall issue its revenue bonds under and pursuant to the provisions of this Ordinance and said Acts, which bonds shall be payable only out of the special Bond and Interest Redemption Account herein provided for, subject to the prior servicing of the 1967 Bonds, the 1968 Bonds and the 1978 Bonds, in accordance with the respective terms thereof and shall be designated as "Junior Waterworks Revenue Bonds of 1986." Said Junior Waterworks Revenue Bonds of 1986 shall be in a principal amount not exceeding Six Million Two Hundred Fifteen Thousand Dollars (\$6,215,000), in the denominations of Five Thousand Dollars (\$5,000.00) each or integral multiples thereof, numbered consecutively from 1 upwards, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding nine percent (9%) per annum, the exact rate or rates to be determined by bidding, which interest shall be payable semi-annually on January 1 and July 1 in each year, beginning on January 1, 1987. The Common Council hereby authorizes and directs the Mayor and the Controller of the City of Fort Wayne, Indiana to select an institution or institutions to serve as paying agent under this Ordinance for the bonds (the "Paying Agent"), as registrar for the bonds for the registration, exchange and transfer of the bonds pursuant to this Ordinance (the "Registrar") and as authenticating agent for the bonds. Both principal of and premium, if any, on the bonds shall be payable at the offices of the Paying Agent or Registrar, in lawful money of the United States of America, and said bonds shall mature serially on January 1 in the years and amounts as follows:

<u>Years</u>	<u>Amounts</u>	<u>Years</u>	<u>Amounts</u>	<u>Years</u>
<u>Amounts</u>				
1988	\$560,000	1995	\$235,000	2002
\$275,000				
1989	570,000	1996	250,000	2003
225,000				
1990	580,000	1997	270,000	2004
260,000				
1991	595,000	1998	270,000	2005
295,000				
1992	240,000	1999	210,000	2006
260,000				
1993	205,000	2000	235,000	2007

200,000			
1994	215,000	2001	265,000

Interest on the bonds shall be payable by check or draft of the Paying Agent, mailed to the registered owners thereof as their names appear on the Registrar's registration books as of the 15th day of the month next preceding any interest payment date. The bonds of this issue maturing on January 1, 1998, and thereafter, shall be redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on January 1, 1997, or any interest payment date thereafter, at face value, together with the following premiums (expressed in percentage of face value):

2% if redeemed on January 1, 1997, or thereafter on or before July 1, 2000;

1% if redeemed on January 1, 2001, or thereafter on or before July 1, 2003;

0% if redeemed on January 1, 2004, or thereafter prior to maturity;

plus in each case, accrued interest to the date fixed for redemption. Notice of such redemption shall be published at least thirty (30) days prior to the date fixed for redemption at least one time in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York and a like notice shall be sent by mail to the holders of such bonds as are then registered. The notice shall specify the date and place of redemption and the serial numbers of the bonds called for redemption. Interest on the bonds so called for redemption shall cease on the date fixed in said notice, if funds are available at the place of redemption to redeem the bonds when presented.

Section 8. Said bonds shall be executed in the name of the City of Fort Wayne by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the City Controller, and shall be attested manually or by facsimile signature by the Clerk, who shall cause to be affixed, imprinted, or impressed by any means, including facsimile, the seal of the City to each of said bonds. In case any officer whose signature appears on the bonds shall cease to be such officer before the delivery of such bonds, his signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. Said bonds may, where appropriate, bear the manual or facsimile signatures of validly appointed Deputy officials.

No. bond shall be valid or obligatory for any purpose unless and until a certificate of authentication on such bond substantially in the form herein set forth shall have been duly executed by the Registrar through its authorized representative. Such executed certificate shall be conclusive evidence that such bond has been authenticated pursuant to the terms hereof.

The bonds issued hereunder shall be fully registered bonds without coupons. The bonds may be transferred, without charge, except for any applicable tax, fee, or other governmental charge, only at the principal office of the Registrar upon surrender thereof, together with an assignment duly executed by the registered holder or his duly authorized attorney in such form as shall be satisfactory to the Registrar. Upon the transfer of any such bond and on request of the Registrar, the City shall cause to be executed in the name of the transferee, and the Registrar shall authenticate and deliver, at the option of the transferee, a new fully registered bond or bonds, of any authorized denomination or denominations, in an aggregate principal amount equal to the unmatured and unredeemed principal amount of such bond or bonds surrendered and bearing interest at the same rate and maturing on the same date or dates. Neither the City nor the Registrar shall be required to make any such exchange or transfer of any bond (i) during the fifteen (15) days next preceding any date on which such bond may be selected for redemption from among any bonds to be redeemed, or (ii) after such bond has been selected for redemption for a period of thirty (30) days prior to the redemption date.

As to any bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal of and redemption premium, if any, on any such bond and the interest on such bond shall be made only to or upon the order of the registered holder thereof or his duly authorized attorney in such form as shall be satisfactory to the Paying Agent and neither the City nor the Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as hereinabove provided.

Section 9. The form and tenor of said bonds, the Registrar's certificate of authentication to be endorsed thereon, and the form of assignment to be endorsed thereon shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA
CITY OF FORT WAYNE
JUNIOR WATERWORKS REVENUE BONDS OF 1986

State of Indiana

County of Allen

No. _____

Interest			Authentication	
<u>Rate</u>	<u>Maturity</u>	<u>Dated Date</u>	<u>Date</u>	<u>CUSIP</u>
Registered Owner:				
Principal sum: \$				

The City of Fort Wayne, a municipal corporation, duly organized and existing under the laws of the State of Indiana (hereinafter sometimes called the "City") hereby promises to pay to the Registered Owner stated above, or registered assigns, solely out of the special account hereinafter referred to, the Principal Sum stated above on the Maturity Date stated above, and to pay interest thereon

until payment of such Principal sum, or provision therefor, shall have been made upon redemption or at maturity solely from such special account. This Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated (such date of authentication being the "Authentication Date" stated above) unless (a) it is authenticated after the fifteenth day of the month next preceding the month of the next interest payment date and on or before such interest payment date in which event it shall bear interest from such interest payment date or (b) it is authenticated on or before December 15, 1986, in which event it shall bear interest from _____ (the "Dated Date"). Such interest shall be payable to the Registered Owner or registered assigns appearing on the registration books maintained by the Registrar as of the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date at the Interest Rate per annum stated above, payable semiannually on January 1 and July 1 of each year commencing on the first January 1 or July 1 following the Authentication Date stated above.

The principal of and redemption premium on this Bond are payable in lawful money of the United States of America at the principal office of _____ (the "Paying Agent" and "Registrar", in _____). The interest on this Bond is payable in lawful money of the United States of America by check or draft of the Paying Agent, mailed to the Registered Owner at his address as it appears on the registration books maintained by the Registrar.

This bond is one of an authorized issue of bonds of the City of Fort Wayne of like date, tenor and effect, except as to numbering, rates of interest and dates of maturity, in the aggregate total amount of Six Million Two Hundred Fifteen Thousand Dollars (\$6,215,000), issued for the purpose of providing funds to refund a short term indebtedness incurred to pay the cost of acquisition and construction of water facilities by the municipally owned waterworks of said City and for the construction of extensions and additions to the waterworks system pursuant to an ordinance passed by the Common Council of said City on _____, 1986 entitled "An Ordinance concerning the refunding of an indebtedness of the municipal waterworks incurred for the acquisition and construction of water facilities by the municipal waterworks of the City of Fort Wayne, the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, matters connected therewith, and repealing ordinances in conflict therewith, "(the "Ordinance") and in strict compliance with the provisions of the governing statutes, particularly I.C. 8-1.5.2 and I.C. 5-1-6. and all Acts amendatory thereof or supplemental thereto.

The principal of and interest on this bond and all other bonds of said issue, together with any bonds hereafter issued ranking on a parity therewith, and the principal of and interest on certain outstanding Junior Waterworks Refunding Revenue Bonds of 1982, now outstanding in the

principal amount of One Million Three Hundred Seventy Five Thousand Dollars (\$1,375,000) and maturing on January 1, of each year to and including January 1, 2002 are equally and ratably secured by twenty-nine percent (29%) of the gross income and revenues of said waterworks as the same now exist or may hereafter be improved and extended, which percentage of such income and revenues is to be deposited in a special account to be known as the "Bond and Interest Redemption Account," which has heretofore been duly created, all subject, however, to the prior payment in accordance with the terms thereof of the interest on and principal certain now outstanding Waterworks Revenue Bonds fo 1967 now outstanding in the principal amount of One Million Nine Hundred Eighty Thousand Dollars (\$1,980,000) and maturing on January 1, of each year to and including January 1, 2000, and constituting a first charge upon the revenues allocated to said Bond and Interest Redemption Account, and further, subject to the prior payment in accordance with the terms thereof of the interest on and principal of certain now outstanding Waterworks Revenue Bonds of 1968, now outstanding in the principal amount of Two Million One Hundred Eighty Thousand Dollars (\$2,180,000) and maturing on January 1 of each year to and including January 1, 2000, and also constituting a first charge upon the revenues allocated to said Bond and Interest Redemption Account which ranks on a parity with the Waterworks Revenue Bonds of 1967, and further, subject to the prior payment in accordance with the terms thereof of the interest on and principal of certain now outstanding Waterworks Revenue Bonds of 1978, now outstanding in the principal amount of Fifteen Million Three Hundred Seventy-Five Thousand Dollars (\$15,375,000) and maturing on January 1 of each year to and including January 1, 2003 and also constituting a first charge upon the revenues allocated to said Bond and Interest Redemption Account which ranks on parity with Waterworks Revenue Bonds of 1967 and the Waterworks Revenue Bonds of 1968. At such time as the Waterworks Revenue Bonds of 1967, the Waterworks Revenue Bonds of 1968, the Waterworks Revenue Bonds of 1978 and the Junior Waterworks Refunding Revenue Bonds of 1982 are no longer outstanding, the principal of and interest on this bond and all other bonds of said issue, together with any bonds hereafter issued ranking on a parity therewith, are equally and ratably secured by the earnings of said waterworks system remaining after providing for the payment for operation and maintenance expenses of said waterworks as the same now exists or may hereafter be improved and extended which net earnings are to be deposited in a special account to be known as the "Bond and Interest Redemption Account" which is created in the Ordinance described above. The City shall not be obligated to pay said bonds or the interest thereof, except from said special account, and neither this bond nor the issue of which it is a part shall in any respect constitute a corporate indebtedness of the City with the provisions and limitations of the Constitution of the State of Indiana.

REFERENCE IS MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF WHICH SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF DULY SET FORTH HEREIN.

(Reverse of Bond)

This Bond is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. Upon such transfer a new registered Bond or Bonds without coupons of the same maturity and in authorized denomination or denominations for the same aggregate principal amount will be issued to the transferee in exchange hereof.

The City and the Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and premium, if any, hereon and interest due hereon and for all other purposes and neither the City nor the Registrar shall be affected by any notice to the contrary. The Bonds are issuable as fully registered Bonds in denominations of \$5,000 or integral multiples thereof. The Bonds may not be registered to bearer. Subject to the limitations and upon payment of the charges provided in the Ordinance, registered Bonds may be exchanged for a like aggregate principal amount of registered Bonds of the same maturity of authorized denominations.

The bonds of this issue maturing on January 1, 1998, and thereafter, are redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on January 1, 1997, or any interest payment date thereafter, at face value, together with the following premiums:

2% if redeemed on January 1, 1997, or thereafter on or before July 1, 2000;

1% if redeemed on January 1, 2001, or thereafter on or before July 1, 2003;

0% if redeemed on January 1, 2004, or thereafter prior to maturity;

plus, in each case, accrued interest to the date fixed for redemption; provided notice of such redemption shall be given at least thirty (30) days prior to the date fixed therefor by one publication in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York, and a like notice be sent by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to redeem the bonds when presented in accordance with the terms thereof. The bonds so redeemed prior to maturity shall be surrendered for cancellation.

The City covenants that it will, to the fullest extent permitted by law, fix, maintain, and collect an aggregate of rates and charges for the services rendered by said waterworks which will be sufficient to pay all costs of operation and maintenance of said waterworks to create and

maintain a fund for the payment of all bonds which by their terms are payable from the revenues and net earnings of the waterworks, to create and maintain a fund for the payment of assessed taxes or payments in lieu of taxes, and to create and maintain a fund for the payment of the extension, replacement in whole or part, repair, and operation and maintenance of the waterworks and that it will in all other respects faithfully comply with all of the provisions of the governing statutes pursuant to which this bond is issued. In the event the City shall make any default in the payment of the principal of or interest on this bond, the holder hereof shall have all of the rights and remedies provided by the governing statutes, including the right to compel the collection of sufficient rates and charges to provide for the payment of this bond and the interest hereon. Provided, however, nothing herein shall be construed as requiring the expenditure of any funds of the City derived from any sources other than the proceeds of the issue of which this Bond is part and the revenues and net earnings derived from the operation of said waterworks system and this Bond shall not in any respect constitute a general obligation of the City in its corporate capacity.

(Front of Bond)

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to and in the execution, issuance, authentication, and delivery of this bond have been done and performed in regular and due form as provided by law. This bond shall not be a valid obligation until authenticated by the Registrar or its successor in interest by execution of the Registrar's certificated endorsed hereon.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of the duly elected, qualified, and acting Mayor, countersigned by the manual or facsimile signature of its duly appointed, qualified and acting City Controller, its corporate seal to be hereunto affixed, imprinted, or impressed by any means and attested annually or by facsimile by its duly elected, qualified, and acting Clerk, all as of the _____ day of _____, 1986.

CITY OF FORT WAYNE

By _____

Mayor

Attest:

Countersigned:

City Clerk

City Controller

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Ordinance.

as Registrar
By _____

Authorized Representative

The following abbreviations, when used in the inscription of the face of the within bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM. as tenants in common
TEN ENT. as tenants by the entireties
JR. TEN. as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT. _____ Custodian _____
(Cust) (Minor)
under Uniform Gifts to Minors Act

(State)

Additional abbreviations may also be used though not in list above.

ASSIGNMENT

For value received, the undersigned hereby sells and transfers unto _____

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF TRANSFEREE

(Please Print or Typewrite Name
and Address of Transferee)

the within bond, and hereby authorizes the transfer of this bond on the registration books of the Registrar.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be
Owner
guaranteed by a registered
signature broker-dealer or a commercial
correspond
bank or trust company.
it
Registered
(B O N D : The
above must
with the name of the
Registered Owner as

of
 enlarge-
 what-
 appears on the front
 this bond in every
 particular without
 alteration or
 ment or any change
 soever)

Section 10. The City Controller is hereby authorized and directed to have said bonds prepared, and the Mayor, City Controller and Clerk are hereby authorized and directed to execute said bonds in the form and manner hereinbefore provided. The City Controller shall cause to be published a notice of sale twice, at least one week apart, with the first publication being at least fifteen days prior to the sale and the second publication being at least three days prior to the sale in accordance with I.C. 5-1-11 and I.C. 5-3-1. The notice shall be published in the News-Sentinel and in the Journal Gazette, the only newspapers of general circulation published in Fort Wayne and may be published one time in the Indianapolis Commercial published in the City of Indianapolis, Indiana. A summary notice may be published in the Bond Buyer published in the City of New York, New York. Said notice shall provide, among other things, that each bid shall be accompanied by a certified or cashier's check in the amount of Seventy Five Thousand Dollars (\$75,000) to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of the bonds and pay for the same as soon as the bonds are ready for delivery, or at the time fixed in the notice of sale, then said check and the proceeds thereof shall be the property of the City and shall be considered as its liquidated damages on account of such default. The bond sale notice shall state the time and place of sale, the total amount of bonds, the maximum rate of interest thereon, the maturities thereof, the purpose for which the bonds are being issued, the terms and conditions on which bids will be received and the sale made, and shall set out such other information as the City Controller, acting on the advice of the City Attorney and bond counsel, shall deem necessary and any summary notice may contain any information deemed so advisable.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office. Bidders shall be required to name the rate of interest which the bonds are to bear, not exceeding the maximum rate hereinbefore fixed. Such interest rate shall be in multiples of one-eighth ($1/8$) or one-tenth ($1/10$) of one percent (1%). The City Controller shall award the bonds to the highest qualified bidder. The highest bidder shall be the one who offers the lowest interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest to the date of delivery, shall be considered. The City Controller shall have the right to reject any and all bids, and in the event no satisfactory bids are received, the City Controller shall

be authorized to continue the sale from day to day for a period of thirty (30) days without readvertisement; provided, however, that if said sale be continued no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds to the purchaser thereof, the City Controller shall obtain a legal opinion as to the validity of the bonds from Bingham Summers Welsh & Spilman, acting as bond counsel for the City, and shall furnish such opinion to the purchaser of the bonds. The fee of such bond counsel shall be considered as part of the cost of such issue and shall be paid out of the proceeds of said bonds.

The Common Council authorizes the insurance of the bonds with a municipal bond insurance company if the City Controller, acting on the advice of the City's financial consultant, finds such insurance advisable, in the best interest of the City and necessary, convenient or desirable to make the bonds issued hereunder more marketable.

The City covenants that it will not invest the proceeds of said bonds, or any moneys treated as proceeds by the Internal Revenue Service, in any manner, or take or fail to take any other action, which would result in said bonds constituting "arbitrage bonds" within the meaning of Section 103(c) of the Code, or the Treasury Regulations or any Revenue Rulings promulgated thereunder, or any applicable successor Section (including, but not limited to, Section 148 of the Internal Revenue Code of 1986), Regulation, or Ruling, or as determined by any court of competent jurisdiction.

Section 11. In the event it shall be hereafter determined that it is not necessary to issue all of the bonds authorized by this Ordinance, or the Public Service Commission of Indiana shall not approve the issuance of said total amount of bonds, the City Controller shall be authorized to sell and deliver a lesser amount of bonds than herein authorized, in which case the bonds not sold or delivered shall be of the last maturity or maturities.

The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the binding and special revenue obligations of the City, payable out of the Net Earnings of the waterworks system of said City according to their tenor and effect, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for the purpose of paying the cost of construction and installation of the aforesaid extensions and additions, the refunding of the indebtedness incurred for payment for the acquisition and construction of water facilities by said municipal waterworks and the expenses necessarily incurred in connection therewith, including the expenses incurred in connection with the issuance and sale of the bonds. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do all acts and things which may be necessary to carry out the provisions of this Ordinance.

Section 12. Any accrued interest and any premium received at the time of the delivery of the bonds shall be deposited in the Bond and Interest Redemption Account heretofore duly created. The remaining proceeds from the sale of the bonds shall be used immediately to refund the aforementioned short term indebtedness and to pay costs of issuance incidental to the bond issue. All proceeds remaining after the aforementioned deposit in the Bond and Interest Redemption Account and payments with respect to the refunding and incidental costs of issuance shall, upon receipt, be deposited in a bank or banks which are legally designated and qualified depositories for the funds of the City in a special account or accounts to be designated as "City of Fort Wayne, 1986 Waterworks Construction Account." The funds in each of such special accounts shall be deposited, secured, and held or invested, as provided by the laws of the State of Indiana relating to the depositing, securing, and holding or investing of public funds. The funds in such special account or accounts shall be expended only for the purpose of paying the cost of the extensions and additions to said waterworks as herein authorized, the incidental expenses incurred in connection therewith, including legal fees, and for the payment of interest accruing on the bonds during the period of construction, if required for that purpose. Any balance or balances remaining unexpended in the Construction Fund after the completion of the work which are not required to meet unpaid obligations incurred in connection with the construction of the work shall be deposited in the Bond and Interest Redemption Account within sixty (60) days after completion of the project.

If required by bond counsel as condition of its approving opinion to be delivered upon the original issuance and delivery of the bonds as to the exemption of interest on the bonds from Federal income taxation, there shall be established a Rebate Fund (the "Rebate Fund"). Notwithstanding anything in the Ordinance to the contrary, the City shall transfer to the Rebate Fund from the other accounts established under the Ordinance the amounts required to be transferred (when such amounts are so required to be transferred) in order to preserve the exemption of interest on the bonds from Federal income taxation under the Code. The City shall make payments from the Rebate Fund of amounts required to be deposited therein to the United States of America in the amounts and at the time required by the Code. The City covenants for the benefit of the holders of the bonds that, if the Rebate Fund is established, it will comply with the requirements of the Code relating thereto as shall be set forth in Exhibit A to the non-arbitrage certificate of the Commission dated and delivered on the date of original issuance and delivery of the bonds, which Exhibit A shall be incorporated by reference into this Ordinance. The Commission shall not be required to continue to comply with these requirements relating to the Rebate Fund in the event that the City obtains an opinion of nationally recognized bond counsel that (i) such compliance is no longer required in order to maintain the Federal income tax exemption of interest on the bonds or (ii) compliance with some other requirement will comply with the provisions of the Code in respect of arbitrage rebate. A supplemental ordinance may, but

earnings derived from the operation of the waterworks.

Section 15. If, prior to the maturity of the bonds issued hereunder, (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, to pay the whole amount of the principal and the interest due and payable at maturity upon all the bonds then outstanding; then and in that case the bonds issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Earnings of the City's waterworks established herein.

Section 16. The City reserves the right to authorize and issue additional bonds, payable out of the revenues of the waterworks, of equal priority with the bonds authorized by this Ordinance for the purpose of financing the cost of future additions, extensions and improvements to the waterworks, subject to the following conditions:

(a) The interest on the principal of all bonds payable from the revenues of the waterworks shall have been paid to date in accordance with the terms thereof, and all required payments into the Bond and Interest Redemption Account have been made in accordance with the provisions of this Ordinance.

(b) In the event the 1967 Bonds, the 1968 Bonds, the 1978, or the 1982 Bonds are outstanding at the time such additional bonds are issued.

(i) The amount of gross revenues of the waterworks allocated to and deposited in the Bond and Interest Redemption Account in the calendar year immediately preceding the issuance of any such additional parity bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or

(ii) Prior to the issuance of said parity bonds, the proportion of the gross revenues allocated to said Bond and Interest Redemption Account shall be increased proportion applied to the previous calendar year's gross revenues would have produced revenues in said Bond and Interest Redemption Account for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or

(iii) Prior to the issuance of said parity bonds, the water rates and charges shall be increased sufficiently and the proportion of gross revenues allocated to said Bond and Interest Redemption Account increased sufficiently so that said increased water rates and charges

need not be, adopted to reflect the elimination or substitution of any such requirement.

Section 13. The City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all earnings collected from said waterworks and deposited in the special accounts heretofore established and all disbursements made therefrom and all transactions relating to said waterworks. There shall be prepared and furnished to the original purchaser of the bonds, and, upon written request, to any holder of the bonds, not more than sixty (60) days after the close of each annual fiscal period, complete operating and income statements and balance sheets of the waterworks, in reasonable detail, covering such annual fiscal period together with a statement of the balances as of the close of such fiscal year in each of the accounts hereinbefore referred to in this Ordinance, which statements shall be prepared by an independent certified public accountant. Said annual statements shall also include a statement as to the number of customers of the waterworks at the close of said fiscal year and the number at the end of the preceding year, and comments of said accountant relative to the manner in which the City has carried out the requirements of this Ordinance and any other ordinances authorizing then outstanding bonds. The fees or charges of such accountant shall be deemed to be a cost of operation and maintenance of the waterworks. Copies of all such statements and reports shall at all times be kept on file in the office of the City Controller. Any holder of the bonds or representative of any holder duly authorized by written instrument shall have the right at all reasonable times to inspect the waterworks and the records, accounts and data of the City relating thereto.

Section 14. The City shall, to the fullest extent permitted by law, establish, maintain and collect reasonable and just rates and charges for the services and facilities afforded by said waterworks which will provide earnings at least sufficient to pay the reasonable and proper cost of the maintenance and operation of the waterworks, to pay the principal of, the interest on and reserves for all bonds payable from the revenues or Net Earnings of the waterworks as the same become due and provide a surplus or margin of ten percent (10%) of the principal and interest due each year, which shall be cumulative, to pay assessed taxes or payments in lieu of taxes, and to pay for the extension, replacement in whole or in part, repair, and operation and maintenance of the waterworks as necessary. So long as any of the bonds herein authorized are outstanding, none of the facilities and services afforded by said waterworks shall be furnished without a reasonable and just charge being made therefor. The reasonable value of any facility or service rendered to the City, or to any department, agency or instrumentality thereof, including the use of water for hydrants for fire protection or for any other purpose, shall be charged against the City and shall be paid for as the charges against the City and shall be paid for as the charges accrue, and the payments so received shall be deemed to be earnings derived from the operation of the waterworks and shall be used and accounted for in the same manner as other

applied to the previous calendar year's operations would have produced gross revenues in an amount so that the proportion allocated to said Bond and Interest Redemption Account for said year would have equaled not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued.

(c) In the event the 1967 Bonds, the 1968 Bond, the 1978 Bonds and the 1982 Bonds are not outstanding at the time such additional bonds are issued, then either:

(i) The amount of Net Earnings of the waterworks deposited in the Bond and Interest Redemption Account in the calendar year immediately preceding the issuance of any such additional parity bond shall be not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or

(ii) Prior to the issuance of said parity bonds, the water rates and charges shall be increased sufficiently so that said increased water rates and charges when applied to the previous calendar year's operations would have produced Net Earnings in an amount not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued.

For purposes of this subsection (b) and (c) above, the records of the waterworks shall be analyzed and all showings shall be prepared by a certified public accountant employed by the City for that purpose.

(d) To the extent required by law, the issuance of the proposed additional parity bonds and any necessary increase in water rates and charges shall have been approved by the Public Service Commission of Indiana, and said Commission shall have certified that the Net Earnings of the waterworks, after providing for operation and maintenance, will be sufficient to pay the principal and interest of all bonds payable from the Net Earnings of the waterworks, including the additional parity bonds proposed to be issued.

(e) The principal on such additional parity bonds shall be payable on January 1 in the years in which principal is payable, and the interest on said bonds shall be payable semi-annually on January 1 and July 1 in the years in which said interest is payable.

Section 17. For the purpose of further safeguarding the interests of the holders of the bonds, it is specifically provided as follows:

(a) All construction contracts shall be let to responsible contractors who shall be required to furnish construction bonds in an amount equal to one hundred percent (100%) of the amount of such contracts to insure the completion of such contracts in accordance with their terms and such contractors shall be required to carry such

employer's liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts.

(b) The extensions and additions shall be contracted for and constructed to the approval of the City's Engineer or such other consulting engineers as may be hereafter employed by the City. All estimates for work done and material furnished shall first be checked by the City's Engineer or such consulting engineers before being approved by the City.

(c) The City shall, at all times, maintain said waterworks in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the bonds herein authorized are outstanding, the City shall maintain insurance on the insurable parts of the waterworks of a kind and in an amount such as is usually carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business in the State of Indiana, and any insurance proceeds collected shall be used in replacing the property destroyed or damaged.

(e) So long as any of the bonds herein authorized are outstanding, the City shall not mortgage, pledge or otherwise encumber its waterworks or any part thereof, and shall not sell, lease or otherwise dispose of any portion thereof except such equipment which may become worn out or obsolete, and shall be replaced; nor, except as provided in Section 16 hereof, shall the City execute or issue any additional notes, bonds or other obligations pledging any portion of the revenues of said waterworks unless the same be made subordinate and junior in all respects to the bonds herein authorized.

(f) The provisions of this Ordinance shall be construed to create a trust in the proceeds derived from the sale of the bonds herein authorized, for the uses and purposes herein set forth, and so long as any of said bonds are outstanding the provisions of this Ordinance shall also be construed to create a trust in the revenues or Net Earnings of the waterworks herein directed to be set apart and paid into the Bond and Interest Redemption Account for the uses and purposes of said account as in this Ordinance set forth.

(g) The provisions of this Ordinance shall constitute a contract by and between the City of Fort Wayne and the holders of the bonds herein authorized, all of the terms of which shall be enforceable in law or in equity, and after the issuance of the bonds this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the holders of said bonds, nor shall the Common Council of the City adopt any law, ordinance or resolution in any way adversely affecting the rights of such holders so long as any of the bonds or the interest thereon remain unpaid. The holders of the bonds shall have all of the rights, remedies and privileges, either expressly set forth in the provisions of I.C. 8-1.5-2

and I.C. 5-1-6 and all acts amendatory thereof and supplemental thereto, or implied therein, including the right to compel the collection of sufficient rates and charges to provide for the payment of the bonds issued hereunder and the interest thereon. Provided, however, none of the provisions of this Ordinance shall be construed as requiring and the expenditure of any funds of the City derived from any sources other than the proceeds of said bonds and the revenues or Net Earnings derived from the operation of said waterworks system and said bonds shall not in any respect constitute general obligations of the City in its corporate capacity.

(h) The City covenants that it will not use the proceeds of the bonds, or any earnings thereon, in any manner, and will not take or fail to take any action, which would adversely affect the exemption from Federal or State income taxation of interest on any of the bonds under the Code or applicable state laws.

Section 18. Subject to the terms and provisions contained in this section, and not otherwise, the holders of not less than sixty-six and two-thirds percent ($66\frac{2}{3}\%$) in aggregate principal amount of the bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting;

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any bond or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this Ordinance except as provided in Section 16 hereof; or

(d) A preference or priority of any bond or bonds issued pursuant to this Ordinance over any other bond or bonds issued pursuant to the provisions of this Ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance.

The holders of not less than sixty-six and two-thirds percent ($66\frac{2}{3}\%$) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained

on file in the office of the Clerk of the City. No holder of any bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all holders of bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the holders of the bonds authorized by this Ordinance, and the terms and provisions of the bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the holders of all the bonds issued pursuant to this Ordinance then outstanding.

Section 19. All ordinances and parts of ordinances in conflict herewith are hereby repealed, specifically including but not limited to Ordinance No. S-64-86, passed and adopted by the Common Council on April 22, 1986 and approved by the Mayor of the City on April 23, 1986, Ordinance No. S-105-86 passed and adopted by the Common Council on June 24, 1986 and approved by the Mayor of the City on June 26, 1986, and Ordinance No. S-106-86 passed and adopted by the Common Council on June 24, 1986 and approved by the Mayor of the City on June 26, 1986; provided, however, that this Ordinance shall not be deemed in any way to repeal, amend, alter or modify the ordinances authorizing the issuance of the 1967 Bonds, the 1968 Bonds, the 1978 Bonds, or the 1982 Bonds, nor be construed as adversely affecting the rights of the holders of the aforementioned outstanding 1967 Bonds, 1968 Bonds, 1978 Bonds, or 1982 Bonds.

Section 20. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None

ABSENT: One
Henry

DATE: 10-21-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance No.
S-167-86 on the 21st day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 22nd day of October, 1986, at the
hour of 9:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of
October, 1986, at the hour of 10:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-04

RESOLUTION NO. R-75-86

RESOLUTION DESIGNATING PROJECTS FOR INCLUSION
IN PHASE II OF THE CITY OF FORT WAYNE, INDIANA'S
NEIGHBORHOOD PUBLIC IMPROVEMENT PROGRAM, SPECIFYING
WHICH PROJECTS ARE TO BE FUNDED THROUGH
THE NEIGHBORHOOD IMPROVEMENT BOND, SERIES II, AND
APPROVING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of Fort Wayne, Indiana has embarked upon a Neighborhood Public Improvement Program, a portion of which is to be funded through the issuance of Eight Million Dollars (\$8,000,000) in General Obligation Bonds of the City of Fort Wayne, said Bonds having been approved by this Common Council upon the petition of the taxpayers of the City, and which Neighborhood Public Improvement Program will include construction, reconstruction and repair of streets, thoroughfares and sidewalks, installation of streetlights and other public improvements; and

WHEREAS, the City has previously chosen projects to be completed during 1986 and 1987 and designated said projects for the purpose of issuing \$4,480,000 of General Obligation Bonds; and

WHEREAS, the City has now chosen additional projects to be completed during 1987 and for purposes of issuing the remaining portion of the \$8,000,000 of General Obligation Bonds, namely, \$3,520,000, desires to designate projects for Phase II of the Neighborhood Public Improvement Program; and

WHEREAS, the State Board of Tax Commissioners, has requested that a Resolution designating the projects to be paid for out of the proceeds of the General Obligation Bonds be adopted by this Common Council; and

WHEREAS, Phase II of the Neighborhood Public Improvement Program will require the issuance of Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) of General Obligation Bonds;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council and the City of Fort Wayne, Indiana, hereby reaffirm the Neighborhood Public Improvement Program and the issuance of Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) of General Obligation Bonds to help pay the costs of Phase II of said program.

SECTION 2. Upon the recommendation of the City, this Common Council hereby designates the projects listed on the attached Exhibit "A", which exhibit is hereby made a part of this Resolution, as the projects to be included in Phase II of the Neighborhood Improvement Program.

SECTION 3. This Common Council hereby resolves

that Three Million Five Hundred Twenty Thousand Dollars (\$3,520,000) of the costs to be incurred in Phase II of the Neighborhood Public Improvement Program shall be paid out of the proceeds of the sale of \$3,520,000 of General Obligation Bonds of the City of Fort Wayne, previously authorized and approved by this Common Council and the Mayor.

SECTION 4. This Resolution shall be forwarded to the State Board of Tax Commissioners.

SECTION 5. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Henry

DATE: 10-21-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-75-86 on the 21st day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of October, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of October, 1986, at the hour of 10:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-08

SPECIAL ORDINANCE NO. S-168-86

AN ORDINANCE approving Civil City Purchase Orders #A-48949, #A-48960, #A-48961, with Jackson Wrecking Co., Richard Ness Excavating and Ron Lunz, respectively for the Safe Housing and Building Standards Department of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #A-48959, #A-48960, #A-48961, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with Jackson Wrecking Co., Richard Ness Excavating and Ron Lunz, respectively, respectfully for:

the demolition of various structures and the lot restoration of the sites throughout the City of Fort Wayne, per the specifications in Reference #1262, for the Safe Housing and Building Standards Department;

involving a total cost of Eighteen Thousand Seven Hundred Forty-Five and No/100 Dollars (\$18,745.00), (Jackson Wrecking Co., \$1,999.00; Richard Ness Excavating, \$6,197.00; Ron Lunz, \$10,549.00), all as more particularly set forth in said Purchase Orders, which is on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-168-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 29th day of October, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of
October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-09

SPECIAL ORDINANCE NO. S-169-86

AN ORDINANCE approving Civil City Purchase Orders #A-48897, #A-48898, and #A-48899. with Jackson Wrecking Co., Ron Lunz and Richard Ness Excavating Co., respectively, for the Safe Housing and Building Standards Department of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #A-48897, #A-48898 and #A-48899, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with Jackson Wrecking Co., Ron Lunz and Richard Ness Excavating Co., respectively, respectfully for:

the demolition of various structures and lot restoration of the sites throughout the City of Fort Wayne; per the specifications in Reference #1261 for the Safety Housing and Building Standards Department;

involving a total cost of Twenty-Three Thousand Nine Hundred Thirty-Two and No/100 Dollars (\$23,932.00) - (Jackson Wrecking \$4,694.00; Ron Lunz, \$9,300.00; Richard Ness Excavating, \$9,938.00), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier
NAYS: None
ABSTAINED: None

ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-169-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-18

SPECIAL ORDINANCE NO. S-170-86

AN ORDINANCE approving Change Order No. 1, Res. 6018-85, Lynn Avenue, Phase I-B, with Rieth-Riley Construction Co., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Res. 6018-85, Lynn Avenue, Phase I-B, with Rieth-Riely Construction Co., in connection with the Board of Public Works and Safety, for:

this Change Order is necessary because weather conditions of rain saturated the subbase which caused an unstable condition. Additional common excavation and placing #73 one was used to tighten and stabilize the subbase;

involving a net increase of Fourteen Thousand Eight Hundred Thirty-Eight and 50/100 Dollars (\$14,838.50), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier
NAYS: None
ABSTAINED: NOne
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-170-86 on the 28th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkJames S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-19

SPECIAL ORDINANCE NO. S-171-86

AN ORDINANCE approving Change Order
No. 1 Res. 6017-85, Lunn Avenue,
Phase I-A, with Rieth-Riley Construction
Co., in connection with the Board of
Public Works and Safety
of the City of Fort
Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Res.
6017-85, Lynn Avenue, Phase I-A, with Rieth-Riley
Construction Co., in connection with the Board of Public
Works and Safety, for:

this Change Order is necessary because
weather conditions of rain saturated the
subbase which caused an unstable
condition. Additional common excavation
and placing #73 stone was used to
tighten and stabilize the subbase:

involving a net increase of Five Thousand Three Hundred
Fifty-Four and 07/100 Dollars (\$5,354.07), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance

No. S-171-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-20

SPECIAL ORDINANCE NO. S-172-86

AN ORDINANCE approving Change Order
No. 1 and FINAL - Prospect Avenue
Storm Sewer, Res. 419-85, with
All Star Construction and Excavating,
in connection with the Board of
Public Works and Safety of
the City of Fort
Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 and FINAL -
Prospect Avenue Storm Sewer, Res. 419-85, with All Star
Construction & Excavating, in connection with the Board of
Public Works and Safety, for:

Final street and curb restoration have
been eliminated from this project and
are to be completed under another
construction contract. The costs
outlined in Item #17 are associated with
additional construction work due to the
lowering of the storm sewer throughout
its total length to avoid a grade
conflict with an existing water main;

involving a net decrease of Forth-Eight Thousand Seven
Hundred Ninety-Six and 70/100 Dollars (\$48,796.70), all as
more particularly set forth in the specifications, and which
is on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-172-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-21

SPECIAL ORDINANCE NO. S-173-86

AN ORDINANCE approving Contract for Res. 6053-86, Planeview Dr. and Heiny Drive, between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Res. 6053-86, Planeview Dr. and Heiny Drive, by and between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the following: Improvement of Planeview Drive from the south property line of Heiny Drive and Heiny Drive from the east property line of Planeview Drive to the west property line of Industrial Road by constructing storm drainage, curbs, and 8 inch plain concrete or flexible pavement as per plans;

the Contract price is Thirty-Two Thousand Six Hundred Fifty and No/100 Dollars (\$32,650.00) for Base; Eight-One Thousand Five Hundred Seventy-Seven and 50/100 Dollars (81,577.50) for Alt. 1, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-173-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-22

SPECIAL ORDINANCE NO. S-174-86

AN ORDINANCE approving Change Order
No. 3 Res. 6021-85 - Maplecrest
Road Extension, with Earth
Construction Co., in connection with the
Board of Public Works and Safety of
the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3, Res.
6021-85 - Maplecrest Road Extension, with Earth Construction
Co., in connection with the Board of Public Works and
Safety, for:

this Change Order is necessary because
this amount is required to connect 2-D
lanes that were to be built by the
developer. If this had not been done,
it would have created a real safety
hazard for the motorists;

involving a net increase of Twenty-Five Thousand Three
Hundred Thirty-Four and 31/100 Dollars (\$25,334.31), all as
more particularly set forth in the specifications, and which
is on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-174-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-23

SPECIAL ORDINANCE NO. S-175-86

AN ORDINANCE approving Change Order
No. 4, Res. 6021-85 - Maplecrest
Rd. Extension, with Earth
Construction Co., in connection with the
Board of Public Works and Safety
of the City of Fort
Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 4, Res.
6021-85 - Maplecrest Rd. Extension, with Earth Construction
Co., in connection with the Board of Public Works and
Safety, for:

this Change Order is necessary because
the Controller's Office is going to bill
Shive Nursing Home for their share of
the cost of D-lanes on Maplecrest Road.
This change order reflects that billing;

involving a net increase of Thirty-Four Thousand Eight
Hundred Four and 32/100 Dollars (\$34,804.32), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Redd, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier

NAYS: None

ABSTAINED: None

ABSENT: One
Talarico

DATE: 10-28-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-175-86 on the 28th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 3rd day of November, 1986, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-24

SPECIAL ORDINANCE NO. S-176-86

AN ORDINANCE approving Change Order No. 1 and FINAL, Res. 413-85, East State Church of God Lift Station, with All Star Construction & Excavating, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 and FINAL, Res. 415-85, East State Church of God Lift Station, with All Star Construction & Excavating, in connection with the Board of Public Works and Safety, for:

this Change Order is necessary because construction on the water main for E. State Blvd. improvement began subsequent to the installation of the sanitary sewer force main for said project. The depth of this water main in combination with existing ground conditions made it impossible to leave the sanitary force main in place. It was, therefore, determined that the best and most cost-effective alternative was to relocate the sanitary main;

involving a net increase of One Thousand Five Hundred Sixty-Nine and 25/100 Dollars (\$1,569.25), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-176-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-25

SPECIAL ORDINANCE NO. S-177-86

AN ORDINANCE approving Contract for Res. 425-86, Lawrence Drain Storm Improvement, Phase II, between Spears-Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Res. 425-86, Lawrence Drain Storm Improvement, Phase II, by and between Spears-Dehner, Inc., and the City of Fort Wayne, Indiana in connection with the Board of Public Works and Safety, for:

Phase II - Ditch Channel - Beginning at the intersection of the Lawrence Drain with Wilkie Drive more particularly described as near the intersection of vacated Sheffield Drive and Wilkie Drive; thence Northerly along the centerline of said Wilkie Drive 600 \pm LF; thence Easterly 500 \pm LF; thence Northeasterly 300 \pm LF to a point approximately 25 \pm LF West of the Southwest corner of Lot #13 of Westmoor Park Addition; thence Northeasterly on a spiral curve to the right 700 \pm LF to a point approximately 50 \pm LF West of the Southwest corner of Lot 83 of said Addition; thence Northerly 1500 \pm LF along and parallel to the West Property Line of Lots 83 through 100, inclusive, of said Westmoor Park Addition; thence Northwesterly generally following the existing drainage ditch 900 \pm LF terminating at an existing storm sewer structure under Illinois Rd. (SR #14) 40 \pm LF East of and 100 \pm LF South of the centerline intersection of Sutton Drive and Illinois Road;

the Contract price is One Hundred Twenty-Five Thousand Five Hundred One and No/100 Dollars (\$125,501.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
 Bradbury, Burns, Eisbart, GiaQuinta, Henry,
 Redd, Schmidt, Stier
 NAYS: None
 ABSTAINED: None
 ABSENT: One
 Talarico

DATE: 10-28-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-177-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
 City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
 City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
 Mayor

BILL NO. S-86-10-26

SPECIAL ORDINANCE NO. S-178-86

AN ORDINANCE approving Sewer Contract 425-86 - Lawrence Drain Improvement Phase I, between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Sewer Contract 425-86 - Lawrence Drain Improvement, Phase I, by and between John Dehner, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

Phase I - Storm Sewer - Beginning at an existing 4' x 8' box culvert located 25 ± L.F. South of and 25 ± L.F. West of the centerline intersection of Covington Road and Belaire Drive; thence Northeasterly 280 ± L.F. terminating at a point located 100 ± L.F. North of and 80 ± L.F. Northwest of the centerline intersection of Covington Road and Jefferson Blvd., (U.S. West):

the Contract price is One Hundred Fifty-Six Thousand Seven Hundred Eight and 65/100 Dollars (\$156,708.65), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-178-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-27

SPECIAL ORDINANCE NO. S-179-86

AN ORDINANCE approving City Utilities Purchase Order #A-54500, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the City Utilities Garage and Flex-Rod Sewer Equipment Company, for the Water Pollution Control Maintenance Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54500, between the City of Fort Wayne, by and through the City Utilities Garage and the Department of Purchasing with Flex-Rod Sewer Equipment Company, for the Water Pollution Control Maintenance Department, is hereby ratified, and affirmed and approved in all respects. Purchase Order #A-54500 is respectfully for:

the purchase of a sewer cleaner through the City Utilities Garage for the Water Pollution Control Maintenance Department, per the specification in Reference #796;

involving a total cost of Fifty-Seven Thousand One Hundred Fifty-Four and No/100 Dollars (\$57,154.00).

SECTION 2. Prior Approval has been requested from Common Council October 14, 1986. Two copies of said Purchase Order are on file in the Department of Purchasing and are available for public inspection.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana, as Special Ordinance
No. S-179-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 29th day of October, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of
October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-28

SPECIAL ORDINANCE NO. S- 180-86

AN ORDINANCE approving City Utilities Purchase Order #A-54501, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the City Utilities Garage and MacDonald Machinery Company, Inc., for the Water Pollution Control Maintenance Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54501, between the City of Fort Wayne, by and through the City Utilities Garage and the Department of Purchasing with MacDonald Machinery Company, Inc., for the Water Pollution Control Maintenance Department, is hereby ratified, and affirmed and approved in all respects. Purchase Order #A-54501 is respectfully for:

the purchase of two (2) catch basin cleaners, through the City Utilities Garage for the Water Pollution Control Maintenance Department, per the specification in Reference #797;

involving a total cost of One Hundred Eighty-One Thousand Seventy-Eight and 50/100 Dollars (\$181,078.50).

SECTION 2. Prior Approval has been requested from the Common Council October 14, 1986. Two copies of said Purchase Order are on file in the Department of Purchasing and are available for public inspection.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance

No. S-180-86 on the 28th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-29

SPECIAL ORDINANCE NO. S-181-86

AN ORDINANCE approving City Utilities Purchase Order #A-54414, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and W & W/HPT Equipment Company, for the Filtration Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54414, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with W & W/HPT Equipment Company for the Filtration Plant, respectfully for:

the purchase of two (2) torque flow pumps for the Filtration Plant;

involving a total cost of Eleven Thousand Nine Hundred Sixty and NO/100 Dollars (\$11,960.00), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-181-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy City Clerk James S. Stier Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.
Sandra E. Kennedy
City Clerk
Win Moses, Jr.
Mayor

BILL NO. S-86-10-30

SPECIAL ORDINANCE NO. S-182-86

AN ORDINANCE approving City Utilities Purchase Order #A-54425, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Worthington Steel Company for the Water Pollution Control Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54425, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Worthington Steel Company for the Water Pollution Control Plant, respectfully for:

the purchase of Liquid Ferrous Sulfate for the Water Pollution Control Plant. This is an additional quantity to the original ordinance #S-29-86, passed by Council on February 25, 1986, with reference to the specifications in #2226;

involving a total cost of Thirty-Three Thousand and No/100 Dollars (\$33,000.00), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-182-86 on the 28th day of October, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-33

SPECIAL ORDINANCE NO. S-183-86

AN ORDINANCE approving Change Order No. V-1, S-2, Southwest Interceptor, Phase V. Res. 408-85, with Indiana Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. V-1, S-2, Southwest Interceptor, Phase V, RES. 408-85, with Indiana Construction Company, in connection with the Board of Public Works and Safety, for:

this Change order is necessary because Items 11A, 13A, 14A, and 15A were requested by WPC Treatment Plant Personnel, after the original contract had been let, in order to aid in the operation and maintenance of the project pumping station. Item 12A was made necessary due to the relocation of the wet well structure as a result of land acquisition subsequent to beginning construction of the upstream phase;

involving a net increase of Three Thousand Four Hundred Thirty-Seven and No/100 Dollars (\$,437.00), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-183-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	James S. Stier
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-36

DECLARATORY RESOLUTION NO. R-76-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana (EDY's Grand Ice Cream, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated October 18, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to -wit:

Romys Out Lot Blk B, N 400 Ft. Sec. 26;

said property more commonly known as 3426 Wells Street, Fort Wayne, Indiana:

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has

already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. The length of the deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-76-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the

hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of
October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-38

DECLARATORY RESOLUTION NO. R-77-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2504 Getz Road, Fort Wayne, Indiana (Summit City Investments, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated October 3, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Part of the Southeast Quarter of the Fractional Southwest Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing on the East line of said Fractional Southwest Quarter at a point situated 145.65 feet, S 00-30' (deed bearing and is used as the basis for the bearings in this description) from the Northeast corner of the Southeast Quarter of said Fractional Southwest Quarter; thence S 87-17' W, a distance of 40.03 feet to a point on the West right-of-way line of Getz Road; thence S 00-30' E, on and along said West right-of-way line, being situated parallel to and 40.0 feet (measured at right angles) Westerly of said East line, a distance of 484.67 feet to the true point of beginning; thence S 00-30' E, continuing along said West right-of-way line, a distance of 150.0 feet; thence S 89-42' W, a distance of 664.5 feet; thence N 91-01' W, a distance of 229.0 feet; thence S 81-48' W, a distance of 15.0 feet to the Southeast corner of a 5.16 acre tract of land conveyed to C.L and E.B. Schust; thence N 50-05' E, on and along the Southeasterly line of said 5.16 acre tract, a distance 624.4 feet; thence 87-17' E, a distance of 32.55 feet; thence S 00-30' E and parallel to said East line, a distance of 478.28 feet; thence 89-30' E, a distance of 165.0 feet to the true point of beginning, containing 5.691 acres of land, subject to all easements of record.

said property more commonly known as 2504 Getz Road, Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a six (6) year deduction from the assessed value of the real property. The length of deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 5. That it is the preliminary intent of Common Council to recommend a six (6) year deduction from the assessed value of the real property. The length of deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-77-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-40

DECLARATORY RESOLUTION NO. R-78-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1317 Chute Street, Fort Wayne, Indiana. (Envirotemp Corporation, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated September 26, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Lots 110, 111, 112 - Eliza Hanna Sr. Addition;

said property more commonly known as 1317 Chute Street, Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. SAid designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution

shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of real property. The length of the deduction will be finally determined by Common Council, pursuant to I.C. 6-1.1-12.1-3(b), after receipt of the owner's application from the County Auditor.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-78-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-43

RESOLUTION NO. R-79-86

A RESOLUTION authorizing the submission of a Final Statement of Community Development Objectives and Projected Use of Funds and the required certifications to the U.S. Department of Housing and Urban Development as required for the City of Fort Wayne to receive its 1987 Community Development Block Grant Entitlement

WHEREAS, the City of Fort Wayne has as a goal, the provision of a decent and viable living environment for all of its citizens; and

WHEREAS, the City of Fort Wayne has consistently committed itself to the elimination of blight and deterioration which is present within the community and the prevention of its further spread; and

WHEREAS, under the provisions of the Housing and Community Development Act of 1980, the City of Fort Wayne is entitled to receive annual grants through the Community Development Block Grant Program; and

WHEREAS, funding under this program must be used for the promotion of viable urban communities and the prevention or elimination of blight and deterioration, primarily for the benefit of low and moderate income people; and

WHEREAS, the City of Fort Wayne has developed a community development plan and program which is consistent with the City's overall strategy for preventing the further spread and elimination of blight and deterioration; and

WHEREAS, all necessary steps have been taken by the Mayor and the Department of Community Development and Planning staff to properly complete the attached entitlement submission for 1987 (thirteenth year) Community Development Block Grant funding in conformance with that strategy and plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the attached submission of a budget which includes Two Million Nine Hundred Thousand and No/100 Dollars (\$2,900,000.00) in 1987 (thirteenth year) entitlement funds and the accompanying certifications be approved and forwarded to the U.S. Department of Housing and Urban Development under the signature of Mayor Winfield C. Moses, Jr.

SECTION 2. That Mayor Winfield C. Moses, Jr., in his capacity as Chief Executive Officer for the City of Fort Wayne, be authorized to act on behalf of the City in consummating contractual agreements pertaining to this grant and providing additional information and documentation

pertinent thereto as required.

SECTION 3. That the Common Council, by its approval of this application, hereby reaffirms its intent to reduce and eliminate urban blight within the City of Fort Wayne.

SECTION 4. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Five
Bradbury, Eisbart, GiaQuinta, Henry, Stier
NAYS: Three
Burns, Redd, Schmidt
ABSTAINED:
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-79-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-10

RESOLUTION NO. R-80-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
recommending and endorsing legislation
for the purpose of providing local
community input as to the selection
of hazardous waste facility sites
with the State of Indiana

WITHNESSETH:

WHEREAS, the existence and operation of hazardous waste and commercial hazardous waste facilities are of particular import and concern to the residents of affected communities;

WHEREAS, present Indiana Law does not adequately provide for local community input and decision making relative to site selection of hazardous waste facility sites within the State of Indiana:

WHEREAS, local governments within the State of Indiana are concerned with such lack of local input and are further concerned about the effects and ramifications of hazardous waste facilities located within their jurisdictions;

WHEREAS, the creation of a role for local communities in the decision making process of the selection of hazardous waste facility sites would further public safety, health and well-being.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. This Common Council does hereby endorse and recommend state legislation that would allow and grant unto local communities a decision making role in the selection of proposed hazardous waste facility sites within the jurisdiction of such local communities. This Common Council urges the Indiana General Assembly and its members to pass legislation that would require any proposed developer of a hazardous waste facility site to first obtain approval from the local community so impacted and involved. Such requirement would be in addition to all other federal and state laws and regulations governing the construction use and operation of hazardous waste facility sites. It is noted that the placement and operation of all other businesses, except hazardous waste facilities, are regulated to some extent and subject to the approval and/or regulation of and by local communities which are directly impacted and affected by the placement and operation of such businesses within their locales.

SECTION 2. To further the purposes of this Resolution, specific endorsement and support is hereby given to the attached proposed Bill. The Common Council urges the General Assembly to endorse, act upon and pass such proposed Bill.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier,
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-80-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-32

RESOLUTION NO. R-81-86

A RESOLUTION of the Common Council
setting forth the policy of the City
in regard to the Canterbury
School Annexation

WHEREAS, the annexation of territory to the City
is a legislative function; and

WHEREAS, the Common council is called upon in the
preparation of the City budget to provide for the furnishing
of municipal services to the entire City including newly
annexed areas; and,

WHEREAS, the Common Council has before it an
ordinance for the annexation of the Canterbury School
Annexation Area, more specifically described to-wit:

Parts of Section 17 and Section 18, all
in Township 30 North, Range 12 East,
Allen County, more particularly
described as follows:

Beginning at a point on the Southwest
corner of Lot 17 in Glendale Acres
Suburban Addition; thence North along
the East right-of-way line of Anneta
Avenue to the North right-of-way line of
Langford Lane (the existing City
limits); thence East along the North
right-of-way line of Langford Lane
(the existing City limits), to the East
right-of-way line of Smith Road; thence
South along the East right-of-way of
Smith Road (existing City limits) to a
point on an extended line 6.2 feet South
of the North property line of Lot 4 of
Glendale Acres Suburban Addition;
thence West a distance of 358.5 feet
more or less to a point on the West
property line of Lot 4 of Glendale Acres
Suburban Addition; thence North a
distance of 6.2 feet to the Northwest
corner of said Lot 4; thence West along
the South property line of Lot 17 of
Glendale Acres Suburban Addition a
distance of 317.2 feet more or less to
the point of beginning; the area
contains 6.566 acres more or less.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

1. That in the case of the Canterbury School
annexation, it is the policy of the City of Fort Wayne to
follow the provisions of Section 1.1 of Chapter 2 of the
Municipal Code of the City of Fort Wayne, Indiana of 1974,
as amended, with regards to the provisions of non-capital
and capital services to the annexation area.

2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Division of Community Development and Planning which is attached hereto and incorporated herein.

3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

4. That said plan is hereby approved and adopted by the Common Council of the City of Fort Wayne, Indiana and shall be in full force and effect upon the effective date of the annexation ordinance.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-81-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-09-18

GENERAL ORDINANCE NO. G-35-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof

WHEREAS, a petition to vacate a public alley within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-73-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a public alley within the City of Fort Wayne, more specifically described as follows, to-wit:

A strip of land uniformly five (5) feet in width lying between Main Street on the north and fourteen (14) foot alley on the south thereof lying between Lots Numbered 89 and 88 in the original plat of Fort Wayne, according to the plat thereof recorded in Deed Record 4, page 169, in the Office of the Recorder of Allen County, Indiana, as shown and reserved as such according to said plat,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier

NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-35-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-10-17

GENERAL ORDINANCE NO. G-36-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated plat

WHEREAS, a petition to vacate a dedicated plat within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, said body concurs in the recommendation of the City Planning Commission.

WHEREAS, in "Section 1." a scrivener's error stating "a public alley" instead of "a dedicated plat", as stated elsewhere in the ordinance was made, this amended ordinance is being submitted to correct said scrivener's error.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated plat within the City of Fort Wayne, more specifically described as follows, to-wit:

Part of the East Half of the Southwest Quarter of Section 27, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northeast corner of said Southwest Quarter; thence South 00 degrees 13 minutes East (deed bearing and is used as the basis for the bearings in this description), a distance of 419.7 feet; thence North 90 degrees 00 minutes West, a distance of 634.1 feet; thence South 00 degrees 13 minutes East, a distance of 19.9 feet; thence North 90 degrees 00 minutes West, a distance of 34.2 feet to the true point of beginning; thence North 90 degrees 00 minutes West, a distance of 604.0 feet to a point situated 40.0 feet East of the centerline of Harris Road; thence South 00 degrees 13 minutes East and parallel to said centerline, a distance of 400.0 feet; thence South 90 degrees 00 minutes East, a distance of 664.0 feet; thence North 00 degrees 13 minutes West, a distance of 200.0 feet; thence North 90 degrees 00 minutes West, a distance of 60.0 feet; thence North 00 degrees 13 minutes West, a distance of 200.0 feet to the true point of beginning, containing 5.822 acres of land, subject to all easements of record.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-36-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. X-86-10-31

ANNEXATION ORDINANCE NO. X-08-86

AN ORDINANCE annexing certain territory
commonly known as Canterbury School
Annexation Area to Fort Wayne and
including the same in Councilmanic
District No. 4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the following described
territory be, and the same is hereby, annexed to and made a
part of the corporation of the City of Fort Wayne, Indiana,
to-wit:

Parts of Section 17 and Section 18, all
in Township 30 North, Range 12 East,
Allen County, more particularly
described as follows:

Beginning at a point on the Southwest
corner of Lot 17 in Glendale Acres
Suburban Addition; thence North along
the East right-of-way line of Anneta
Avenue to the North right-of-way line of
Langford Lane (the existing City
limits); thence East along the North
right-of-way line of Langford Lane (the
existing City limits), to the East
right-of-way line of Smith Road; thence
South along the East right-of-way of
Smith Road (existing City limits) to a
point on an extended line 6.2 feet South
of the North property line of Lot 4 of
Glendale Acres Suburban Addition;
thence West a distance of 358.5 feet
more or less to a point on the West
property line of Lot 4 of Glendale Acres
Suburban Addition; thence North a
distance of 6.2 feet to the Northwest
corner of said Lot 4; thence West along
the South property line of Lot 17 of
Glendale Acres Suburban Addition a
distance of 317.2 feet more or less to
the point of beginning; the area
contains 6.566 acres more or less.

SECTION 2. It is the policy of the City of Fort
Wayne to furnish the above described territory with a period
of one (1) year from the effective date of annexation,
governmental services of a non-capital nature in a manner
which is equivalent in a=standard and scope to those
non-capital services provided to areas within the City which
have similar topography, patterns of land utilization and
population density to the said described territory. It is
also the policy of the City of Fort Wayne to provide
services of a capital improvement nature to the annexed
territory within three (3) years of the effective date of
annexation in the same manner as such services are provided

to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of City Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. After its passage approval by the Mayor, final publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect sixty days after the final publication.

Charles B. Redd
Councilman

Read the third time in full and on motion by Redd, seconded by Eisbart, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier
NAYS: None
ABSTAINED: None
ABSENT: One
Talarico

DATE: 10-28-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. X-08-86 on the 28th day of October, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of October, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of October, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-37

DECLARATORY RESOLUTION NO. R-82-86

A DECLARATORY RESOLUTION confirming
the designation of an "Economic
Revitalization Area" under I.C.
6-1.1-12.1 for property commonly known
as 3426 Wells Street, Fort Wayne, Indiana
(EDY's Grand Ice Cream, Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1, to-wit:

Romys Out Lot Blk B, N 400 Ft. Sec. 26;

said property more commonly known as 3426 Wells Street, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a one (1) year period. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. However, pursuant to I.C. 6-1.1-12.1-3(b), final determination of the length of the entitled deduction will not be made by Common Council

until receipt from the County Auditor of the owner's application.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-82-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-39

DECLARATORY RESOLUTION NO. R-83-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2504 Getz Road, Fort Wayne, Indiana. (Summit City Investments, Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1, to-wit:

Part of the Southeast Quarter of the Fractional Southwest Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing on the East line of said Fractional Southwest Quarter at a point situated 145.65 feet S 00-30' E (deed bearing and is used as the basis for the bearings in this description) from the Northeast corner of the Southeast Quarter of said Fractional Southwest Quarter; thence S 87-17' W, a distance of 40.03 feet to a point on the West right-of-way line of Getz Road; thence S 00-30' E, on and along said West right-of-way line, being situated parallel to and 40.0 feet (measured at right angles) Westerly of said East line, a distance of 484.67 feet to the true point of beginning; thence S 00-30' E, continuing along said West right-of-way line, a distance of 150.0 feet; thence S 89-42' W, a distance of 664.5 feet; thence N 01-01' W, a distance of 229.0 feet; thence S 81-48' W, a distance of 15.0 feet to the Southeast corner of a 5.16 acre tract of land conveyed to C.L. and E.B. Schust; thence N 50-05' E, on and along the Southeasterly line of said 5.16 acre tract, a distance of 626.4 feet; thence N 87-17' E, a distance of 32.55 feet; thence S 00-30' E and parallel to said East line, a distance of 478.28 feet; thence N 89-30' E, a distance of 165.0 feet to the true point of beginning, containing 5.691 acres of land, subject to all easements of record.

said property more commonly known as 2504 Getz Road, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a one (1) year period. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That it is the preliminary intent of Common Council to recommend a six (6) year deduction from the assessed value of the real property. However, pursuant to I.C. 6-1.1-12.1-3(b), final determination of the length of the entitled deduction will not be made by Common Council until receipt from the County Auditor of the owner's application.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-83-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of
November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-41

DECLARATORY RESOLUTION NO. R-84-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1317 Chute Street, Fort Wayne, Indiana, (Envirotemp Corporation, Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as na "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1, to-wit:

Lots 110, 111, 112 - Eliza Hanna Sr. Addition;

said property more commonly known as 1317 Chute Street, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a one (1) year period. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That it is the preliminary intent of Common Council to recommend a ten (10) year deduction from the assessed value of the real property. However, pursuant

to I.C. 6-1.1-12.1-3(b), final determination of the length of the entitled deduction will not be made by Common Council until receipt from the County Auditor of the owner's application.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,

Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-84-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-02

DECLARATORY RESOLUTION NO. R-85-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the former L.S. Ayres department store building, Roth, Wehrly Realty building, Adams Appliance store building. (CBD Investment Group, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated October 24, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

SCHEDULE A

PARCEL 1

Tract 1

Lots Numbered 119, 120, 121, 122, 123 and 124, the vacated alley between said Lots 121 and 122, and the vacated alley through said Lot 120, excepting that part of Lot 124 taken for the widening of Clinton Street, all in the Original Plat of the town, now City of Fort Wayne.

Tract II

Lot 118, Lot 117 EXCEPT the North 70 feet thereof; Lot 116, EXCEPT the North 70 feet of the East 42.5 feet thereof; TOGETHER WITH the East One-Half or 2.5 feet of a 5 foot Vacated Fire Alley lying between Lots 115 and 116, all in the Original Plat of the Town, now City of Fort Wayne.

PARCEL 2

Lot Number 113, except that part given for the widening of Clinton Street, recorded in Miscellaneous Record 77, page 170 and Lots 114 and 115 and also the West 2 1/2 feet of the vacated alley adjacent to the East side of Lot 115 in the Original Plat of the town (now City) of Fort Wayne,

a c

recorded in Deed Record D page
169, in the Office of the
Recorder of Allen County,
Indiana.

PARCEL 3

A part of Lot numbered 117 Original Plat of the Town, now City of Fort Wayne, more particularly described as follows, to-wit:

Commencing at the northeast corner of said Lot 117; thence west along the north line of said lot 32.5 feet; thence South parallel with the east line of said lot 70 feet; thence east parallel with the north line of said lot 32.5 feet; thence north along the east line of said lot 70 feet to the point of beginning.

ALSO

Commencing at a point on the North line of said lot 117, 32.5 feet West of the Northeast corner; thence west along the North line of said lot, 22 feet; thence South parallel with the East line of said lot, 70 feet; thence East parallel with the North line of said lot, 22 feet; thence North parallel with the East line of said lot, 70 feet to the point of beginning.

PARCEL 4

That part of Lot No. 116 of the Original Plat of the Town, now City of Fort Wayne, described as follows:

Commencing at a point on the north line of Lot No. 116 of the Original Plat of the town, now City of Fort Wayne, 17.5 feet east of the northwest corner of said Lot No. 116; thence east along the north line of said lot 24, feet; thence south parallel with the west line of said lot, 70 feet; thence west parallel

lots, 24 feet; thence
north parallel with the west
line of said lot 70 feet to
the place of beginning.

And

A part of lots 116 and 117,
Original Plat of the town now
city of Fort Wayne, Allen
County, Indiana, described as
follows, to-wit:

Commencing at a point on the
north line of lot 116, of said
Original Plat 41.5 feet east
of the northwest corner of
said lot 116; thence east
along the north line of said
lots 24 feet; thence south
parallel with the north and
south lines of said lots 70
feet; thence west parallel
with the east and west lines
of said lots 24 feet;
thence North parallel with the
north and south lines of said
lots 70 feet to the point of
beginning, according to the
plat thereof, recorded in
Deed Record D, page 169
in the Office of the Recorder
of Allen County, Indiana.

PARCEL 5

Lots #64 and #65 together with
the vacated 10 foot alley
between said lots and part of
Lot #66 all in the Final Plat
of the County Addition
an Addition to the Town (now
City) of Fort Wayne as
recorded in Plat Book 0, page
3.

ALSO Lot #272 and part of Lot
#1 together with the vacated
10 foot alley between said
lots all in the Final Plat of
Samuel Hanna's First Addition
to the Town (now City) of
Fort Wayne, Indiana and more
particularly described as
follows, to wit:

BEGINNING at the Northeast
corner
of Lot #64 in the County
Addition said point marked by
the center of a wrought iron

fence post set in a concrete wall; thence West along the North line of Lot# 64, 65 and 66 also being the South right of way line of Berry Street a distance of 180.6 feet to an iron pin set, said point being the Northeast corner of a dedicated alley as recorded in Document Nunmber 84-020566; thence South along the East line of said Alley Dedication a distance of 130.0 feet to an iron pin set; thence Southeasterly continuing along an Easterly line of said alley a distance of 32.01 feet to an iron pin set on the South line of Lot #1 in Samuel Hanna's First Addition, said point located 74.4 feet East of the Southwest corner of said Lot #1; thence East along the South line of Lot #1 and Lot #272 in said Samuel Hanna's First Addition a distance of 155.85 feet measured to an iron pin found, said point being the Southeast corner of said Lot #272 thence North along the East line of said #272 and the East line of said Lot #64 in the County Addition a distance of 150.0 feet to the point of beginning. containing 0.62 acres of land more or less.

wall; thence to the
the North line of Lot #64,
and 66 also being the
right of way line of
Berry Street a distance of
180.6 feet to an iron pin
set, said point being the
Northeast corner of a
dedicated alley as recorded
in Document Number 84-020566;
thence South along the
East line of said Alley
Dedication a distance of
130.0 feet to an iron pin
set; thence Southeasterly
continuing along an
Easterly line of said
alley a distance of 32.01
feet to an iron pin set
on the South line of Lot
#1 in Samuel Hanna's
First Addition, said point
located 74.4 feet East
of the Southwest corner
of said Lot #1; thence
East along the South line
of Lot #1 and Lot #272
in said Samuel Hanna's
First Addition a distance
of 155.85 feet measured
to an iron pin found, said
point being the Southeast
corner of said Lot #272
thence North along the
East line of said #272
and the East line of said
Lot #64 in the County
Addition a distance of
150.0 feet to the point
of beginning. containing
0.62 acres of land more
or less.

PARCEL 6

Lots Numbered 173, 174 and 175 and five feet of the vacated alley adjoining said Lot Number 175 in the East, in the original plat of the town (now City) of Fort Wayne, Allen County, EXCEPT West ten feet of Lot 173 taken for street purposes.

PARCEL 7

Lot Number 176 in the Original Plat of the Town, now City, of Fort Wayne, according to the plat thereof.

said property more commonly known as the former L.S. Ayres department store building, Roth, Wehrly Realty building, Adams Appliance store building, Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for two (2) years thereafter. Said designation shall terminate at the end of that two (2) year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-85-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-04

DECLARATORY RESOLUTION NO. R-86-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the Northwest Corner of Wayne and Clinton Streets, Fort Wayne, Indiana.
(Town Center Garage Company, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated October 24, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

TRACT 1

Lot 125 in the Original Plat of the City of Fort Wayne, Indiana.

TRACT 11

Lots 1, 2, 3, 4, 5 and 6 in Kilbourne and Perry Subaddition to the City of Fort Wayne, according to the recorded plat thereof, being a subdivision of Lots 126 and 127 and the East half of the 5-foot vacated alley immediately west of Lot 127, all of the Original Plat of the Town, now City, of Fort Wayne, Allen County, Indiana.

said property more commonly known as the Northwest Corner of Wayne and Clinton Streets, Fort Wayne, Indiana:

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the confirming Resolution referred to in Section 3 of this Resolution and shall continue for two (2) years thereafter. Said designation shall terminate at the end of that two year period.

SECTION 2. That upon adoption of this Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I. C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-86-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-44

SPECIAL ORDINANCE NO. S-185-86

AN ORDINANCE approving Contract for Res. 6059-86, Hanna and Madison St., Curbs and Walks, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Hipskind Concrete, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Res. 6059-86, Hanna and Madison St., Curbs and Walks, 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Hipskind Concrete, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

improvement of areas as follows: (1) HANNA STREET from Rudisill Blvd. to McKinnie Avenue for the purpose of constructing Type III curbs, concrete sidewalks and yardwalks, wingwalks, private drive approaches, yardwalks and adjusting drainage structures. (2) MADISON STREET from Monroe Street to Francis Street for the purpose of constructing Type III curbs, concrete sidewalks and yardwalks, wingwalks, driveway and alley approaches and adjust drainage structures;

the Contract price is One Hundred Seven Thousand Six Hundred Twenty-Eight and 25/100 Dollars (\$107,628.25).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,

Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-185-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of
November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-45

SPECIAL ORDINANCE NO. S-186-86

AN ORDINANCE approving Contract for RES. 6058-86, Piqua Avenue Curbs, 1986 Bond Issue, between the City of Fort Wayne, Indiana and John Dehner, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Res. 6058-86, Piqua Avenue Curbs, 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and John Dehner, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

improvement of Curbs on both sides of Piqua Avenue from Wildwood Avenue South of Clinton Street;

the Contract price is Ten Thousand Four Hundred Ninety-Four and No/100 Dollars (\$10,494.00).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-186-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

City Clerk Presiding Officer
 Sandra E. Kennedy Samuel J. Talarico
~~Presented by me to the Mayor of the City of Fort~~
~~Wayne, Indiana, on the 12th day of November, 1986, at the~~
~~hour of 9:00 o'clock A.M., E.S.T. The Mayor of the City of Fort~~
~~Wayne, Indiana, on the 12th day of November, 1986, at the~~
~~hour of 9:00 o'clock A.M., E.S.T.~~

~~Sandra E. Kennedy~~
~~City Clerk~~
~~Approved and signed City Clerk this 12th day of~~
~~November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.~~

~~Approved and signed by me this 12th day of~~
~~November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.~~

~~Mayor~~
~~Win Moses, Jr.~~
~~Mayor~~

BILL NO. S-86-10-46

SPECIAL ORDINANCE NO. S-187-86

AN ORDINANCE approving Contract for Res. 6061-86 - Luther Street Sidewalks, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Gaines Construction Company, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Res. 6061-86 - Luther Street Sidewalks, 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Gaines Construction Company, is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

improvement of sidewalks and drives on Luther Street from Anthony Blvd. East to Grant Avenue;

the Contract price is Thirty Thousand Nine Hundred Eighteen and 201/00 Dollars (\$30,918.20).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-187-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-47

SPECIAL ORDINANCE NO. S-188-86

AN ORDINANCE approving Contract for Improvement Resolution 6060-86, Archer Avenue Curbs (Both Sides), 1986 Bond Issue, between the City of Fort Wayne, Indiana and Hipkind Concrete, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Improvement Resolution 6060-86, Archer Avenue Curbs (Both Sides), 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Hipkind Concrete, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

the improvement of ARCHER AVENUE from Wells Street to Sherman Street for the purpose of constructing Type III curbs, yardwalks, wingwalks and adjusting drainage structures;

the Contract price is Sixty-Nine Thousand Fifty-Two and 40/100 Dollars (\$69,052.40).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

BILL NO. S-86-10-48

SPECIAL ORDINANCE NO. S-189-86

AN ORDINANCE approving Contract
for Resolution 6055-86, Parnell Avenue
Sidewalks, 1986 Bond Issue,
between the City of Fort Wayne,
Indiana and Gaines Construction
Company, Inc., in connection with
the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for
Resolution 6055-86, Parnell Avenue Sidewalks, 1986 Bond
Issue, between the City of Fort Wayne, by and through its
Board of Public Works and Safety, and Gaines Construction
Company, Inc., is hereby ratified, and affirmed and approved
in all respects. The work under said Contract requires:

the improvement by putting in sidewalks
at Parnell Avenue from alley North of
State Blvd., to Vance Avenue, West Side;

the Contract price is Thirty-One Thousand Four Hundred
Forty-Four and 30/100 Dollars (\$31,444.30).

SECTION 2. Prior Approval was received from
Common Council with respect to this Contract, on October 7,
1986. Two (2) copies of the Contract, attached hereto, are
on file with the City Clerk, and are made available for
public inspection, according to law.

SECTION 3. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-189-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-49

SPECIAL ORDINANCE NO. S-190-86

AN ORDINANCE approving Contract
for Resolution 6054-86 - Plaza Drive
and Central Drive, 1986 Bond
Issue, between the City of Fort Wayne,
Indiana and Gaines Construction Company,
in connection with the Board
of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for
Resolution 6054-86 - Plaza Drive and Central Drive, 1986
Bond Issue, between the City of Fort Wayne, by and through
its Board of Public Works and Safety, and Gaines
Construction Company, is hereby ratified, and affirmed and
approved in all respects. The work under said Contract
requires:

improvement of the following: (1)
PLAZA DRIVE from the south property line
of Colerick Street to the north property
line of Drexel Avenue for the purpose of
construction of new curbs, sidewalks,
drive approaches, alley approaches and
wingwalks. (2) CENTRAL DRIVE from the
south property line of Colerick Street
to the north property line of Drexel
Avenue for the purpose of constructing
new sidewalks, drive approaches, alley
approaches and wingwalks:

the Contract price is Seventy-One Thousand Two Hundred
Sixty-Three and 90/100 Dollars (\$71,263.90).

SECTION 2. Prior Approval was received from
Common Council with respect to this Contract, on October 7,
1986. Two (2) copies of the Contract, attached hereto, are
on file with the City Clerk, and are made available for
public inspection, according to law.

SECTION 3. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,

Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-190-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of November, 1986, at the
hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of
November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-50

SPECIAL ORDINANCE NO. S-191-86

AN ORDINANCE approving Contract for Improvement Resolution 6057-86 - New Kirkwood Park Street Repair, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Rieth-Riley Construction, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Improvement Resolution 6057-86 - New Kirkwood Park Street Repair, 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Rieth-Riley Construction, is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

the following: (1) Whitegate Drive;
(2) Cabot Ln.; (3) Roscommon Dr.;
(4) Hazelwood Ave.; (5) Beacon
Street;

the Contract price is Sixty-Seven Thousand Three Hundred Ninety-Three and 60/100 Dollars (\$67,393.60).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-191-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkSamuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-51

SPECIAL ORDINANCE NO. S-192-86

AN ORDINANCE approving Contract for Improvement Res. #6056-86, Delaware and Tecumseh Sidewalks - 1986 Bond Issue, between the City of Fort Wayne, Indiana and M.A. Gaines Construction Co., Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Improvement Res. #6056-86, Delaware and Tecumseh Sidewalks - 1986 Bond Issue, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and M.S. Gaines Construction Co., Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

improvement of the following: DELAWARE AVENUE (Both Sides) from St. Joseph Blvd. east to Kentucky Avenue and TECUMSEH AVENUE from Tennessee Avenue north to Delaware Avenue by replacing sidewalks and addition of yardwalks and Paraplegic ramps;

the Contract price is Sixty-One Thousand Six Hundred Eighty-Two and 50/100 Dollars (\$61,682.50).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on October 7, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-192-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of November, 1986, at the
hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of
November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-52

SPECIAL ORDINANCE NO. S-193-86

AN ORDINANCE approving City Utilities Purchase Order #A-54561, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Budd Corp./Polychem Division, for the Three Rivers Filtration Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54561, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Budd Corp./Polychem Division, for the Three Rivers Filtration Plant, respectfully for:

the purchase of non-metallic flights and chains for the Three Rivers Filtration Plant, per the specifications in Reference #2920;

involving a total cost of Eleven Thousand Eighty-Five and 98/100 Dollars (\$11,085.98), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-193-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkSamuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-53

SPECIAL ORDINANCE NO. S-194-86

AN ORDINANCE approving Contract for Res. 903-1986 - "Preliminary", East Cook Road Sanitary Sewer Extension - A.F. Smith Subdivision, between Land Excavating, INC., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Res. 903-1986 - "Preliminary", East Cook Road Sanitary Sewer Extension - A.F. Smith Subdivision, by and between Land Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

sanitary sewer works for the following described area: Bounded on the North by the South right-of-way line of E. Cook Rd.; on the East by the East line of Lot "D" A. F. Smith's Subdivision; on the South by a line 200 \pm LF South of and parallel to the South right-of-way line of Cook Road; on the West by the East line of Springwood Addition. Main Line - Beginning at a proposed sanitary sewer manhole 30 \pm LF East and 10 \pm LF South of the intersection of the East line of lot "D" A.F. Smith's Subdivision and the South right-of-way line of Cook Road; thence West parallel with Cook Road 817 \pm LF to a sanitary sewer manhole. Said sewers shall be 8" in diameter;

the Contract price is Twenty-One Thousand Two Hundred Thirty-Four and 40/100 Dollars (\$21,234.40), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-194-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of November, 1986, at the
hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of
November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-54

SPECIAL ORDINANCE NO. S-195-86

AN ORDINANCE approving Contract for Res. 424-1986, Lafayette Center Rd. - Aboite Road, Sanitary Sewer, between the City of Fort Wayne, Indiana and Land Excavating, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for RES. 424-1986, Lafayette Center Rd. - Aboite Road, Sanitary Sewer, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Land Excavating, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

Gravity Sewer - Beginning at a proposed sanitary sewer interceptor located 800 ± LF West of and 60 ± LF South of the centerline intersection of Interstate 69 (I-69) with Lafayette Center Road; thence due South 237 ± LF to a proposed manhole located South of the right-of-way line of Lafayette Center Road; thence Westerly, 4700 ± LF terminating at a proposed manhole. SAid sewer shall be 12" in diameter. Force Main & Pump Station - Beginning at the aforementioned termination point at the gravity portion; thence Westerly 2600 ± LF to the intersection of said Lafayette Center Road and Aboite Road; thence Northerly along the East right-of-way line of Aboite Road 1600 ± LF to the intersection of Lower Huntington Rd. thence Northeasterly 400 ± LF terminating at a proposed pump station located 400 ± LF Northeasterly from the centerline of Aboite Road and 40 ± LF North of the centerline of Lower Huntington Road. Said sewer shall be 10" in diameter;

the Contract price is Two Hundred Twenty-Six Thousand Five Hundred Twenty and 801/00 Dollars (\$226,520.80).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on September 23, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns

Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-10-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-195-86 on the 10th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-10-55

SPECIAL ORDINANCE NO. S-196-86

AN ORDINANCE approving Contract for
Concordia Gardens Storm Drainage
Improvement, Resolution 426-1986, between
Liberty Construction, Inc., and
the City of Fort Wayne, Indiana, in
connection with the Board of Public
Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Concordia
Gardens Storm Drainage Improvement, Resolution 426-1986, by
and between Liberty Construction, Inc., and the City of Fort
Wayne, Indiana, in connection with the Board of Public Works
and Safety, for:

Improvement is described as follows:
Bounded on the North by the North
property line of Lots #308 and #309 of
Concordia Gardens Addition, Section "G";
bounded on the South by the South
property line of Lots #274 and #275 of
said Concordia Gardens Addition,
Section "G"; bounded on the East by
the East property line of said Lots #274
and #309 and bounded on the West by the
West property line of Lots #275 and #308
of said Concordia Gardens, Section "G",
STORM SEWER - Beginning at an
existing open ditch located 100 ± LF
South of the Northwest corner of Lot
#274 of said Addition; thence North
along the meandering of said open ditch
250 ± LF terminating at a point
approximately 125 ± LF North of the
Southwest corner of Lot 309 of said
Addition. Said Storm Sewer shall be 6'
x 10' box culvert with all
appurtenances;

the Contract price is One Hundred Thirty-Four Thousand One
Hundred Forty-Four and No/100 Dollars (\$134,144.00), all as
more particularly set forth in said Contract, which is on
file in the Office of the Board of Public Works and Safety
and, is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved. Two (2) copies of said Contract are on file with
the Office of the City Clerk and made available for public
inspection, according to law.

SECTION 2. That this Ordinance Shall be in full
force and effect from and after its passage and any and all

necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-10-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-196-86 on the 10th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1986, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of November, 1986, at the hour of 9:30 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. A-86-11-01

APPROPRIATION ORDINANCE NO. A-08-86

AN ORDINANCE appropriating monies from the unappropriated and unobligated balance in the Cable TV Fund to an account in the 1986 budget of the Cable TV Fund to provide further public use of the local Cable TV System

WHEREAS, Ordinance No. G-10-85 provides that forty percent (40%) of the Cable TV franchise fees be placed in the Cable TV Fund to be used for cable related expenses; and

WHEREAS, Ordinance No. G-10-85 provides that the Cable Television Program Advisory Council (CTPAC) is to make recommendations for the expenditures of the Cable TV Fund to enhance the public use of the Cable TV System; and

WHEREAS, CTPAC has made various recommendations and from these recommendations and from the recommendations from the City, the following grants are proposed:

Allen County Public Library	\$20,000.00
Fort Wayne Enterprize Center	15,000.00
Cable Access	<u>15,000.00</u>
TOTAL	\$ 50,000.00 ;

and

WHEREAS, the City Controller has recommended this appropriation and states that the details of each grant proposal is available for inspection.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget of the Cable TV Fund, stated below, the following sum, to-wit:

<u>Dept.</u> <u>Amount</u>	<u>Acct. No.</u>	<u>Description</u>
Cable TV Fund \$50,000.00	4395	Grants

SECTION 2. That the unappropriated and unobligated balance of the Cable TV Fund, Account No. 166 is hereby reduced by the sum of Fifty Thousand and No/100 Dollars (\$50,000.00).

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-25-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-08-86 on the 25th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-10-42 (as amended)

GENERAL ORDINANCE NO. G-37-86

AN ORDINANCE REPEALING A CERTAIN SECTION
OF THE HOUSING AND BUILDING STANDARDS ORDINANCE
REGARDING DISCONTINUANCE OF UTILITIES OR
SERVICES AND FURTHER AMENDING THAT ORDINANCE
TO ADD NEW LANGUAGE REGARDING THE
DISCONTINUANCE OF UTILITIES OR SERVICE

WITNESSETH:

WHEREAS, the Department of Safe Housing and Building Standards of the City of Fort Wayne, Indiana, desires to have an ordinance for its Department that complies in all respects with Indiana law; and

WHEREAS, certain language in Chapter 14.7 of the Municipal Code of the City of Fort Wayne, Indiana, could be subject to an unlawful interpretation; and

WHEREAS, said language should be corrected to assure that no unlawful interpretation can be given to said language.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 13 (c) (2) of Chapter 14.7 of the Municipal Code of the City of Fort Wayne, Indiana is hereby repealed and replaced with the following language:

(2) Utilities or services required under this chapter shall not be caused to be shut off to an occupied dwelling or dwelling unit by an owner, operator, or agent in order to evict the occupant from a dwelling or dwelling unit. Provided, however, an owner, operator or agent may shut off utilities or services at the time the owner, operator or agent has obtained an order of possession to the premises, pursuant to state law.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and due publication.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Five

Bradbury, Burns, Schmidt, Stier, Talarico
NAYS: Four
Eisbart, GiaQuinta, Henry, Redd
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as General Ordinance
No. G-37-86 on the 25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of November, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of
November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-10-56

RESOLUTION NO. R-87-86

A RESOLUTION authorizing certain officials
of the City of Fort Wayne to sign
verification of service credit forms
for the Indiana State Public Employees
Retirement Fund on behalf of
employees wishing to retire

WHEREAS, the State of Indiana requires that a
verficiation of service credit form be transmitted to the
Indiana State Public Employees Retirement Fund to verify the
amount of service time that an employee wishing to retire
has completed; and

WHEREAS, the City of Fort Wayne finds it
necessary at this time, to name specific individuals to sign
such verification of service credit forms.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of
Fort Wayne, Cosette R. Simon; or the Deputy Controller,
H. James Haley; or the Supervisor of Payroll Services,
Sherri S. Freewalt; or the Executive Director of the Fort
Wayne-Allen County Convention and Tourism Authority, Robert
Lister; or the Operations Manager, Gary E. Wasson; or the
Office Manager, Judith E. Woodward, are hereby authorized to
complete and sign the necessary verification of service
credit forms as required by the State of Indiana Public
Employees Retirement Fund on behalf of employees intending
to retire.

SECTION 2. That this Resolution shall be in full
force and effect upon passage and any and all necessary
approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-87-86 on
the 25th day of November, 1986.

BILL NO. R-86-11-08

RESOLUTION NO. R-88-86

A RESOLUTION of the Common Council
authorizing a Fire Services Contract
between the City of Fort Wayne,
Indiana and Pleasant Township

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the proposed Fire Services
Contract by and between the City of Fort Wayne, Indiana, and
Pleasant Township, Indiana, attached hereto and made a part
hereof, is hereby ratified and approved in all respects.
The City officers, referenced in the Contract, are hereby
authorized and empowered to sign same on behalf of the City
of Fort Wayne.

SECTION 2. That this Resolution shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-88-86 on
the 25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of November, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-20

DECLARATORY RESOLUTION NO. R-89-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 314 East Wallace Street, Fort Wayne, Indiana. (Precision Laser Services, Petitioner)

WHEREAS, Petitioner has duly filed its petition dated September 1, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C.d 6-1.1.12.1, to-wit:

E 98ft. exc.	W 10ft. of N 23 ft.	LOT 124 Hamiltons 4th ADD
W 64 75 frl		LOT 124 Hamiltons 4th ADD
N 35 ft.		LOT 125 Hamiltons 4th ADD
		LOTS 127 & 128 Hamiltons
		4th ADD
		LOT 163 Hamiltons 4th ADD
E 1/2		LOT 164 Hamiltons 4th ADD
W 1/2		LOT 164 Hamiltons 4th ADD

said property more commonly known as 314 East Wallace Street, Fort Wayne, Indiana;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4 below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in

accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-89-86 on the 25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-22

DECLARATORY RESOLUTION NO. R-90-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Centennial Industrial Park, Fort Wayne, Indiana (Power Train Service, Inc., Petitioner)

WHEREAS, Petitioner has duly filed its petition dated November 13, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Centennial Industrial Park
west side of Conestoga Drive,
between Independence Dr. on
North and Cannon Gate on
South;

said property more commonly known as Centennial Industrial Park, Fort Wayne, Indiana:

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for one (1) year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution;

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic

Revitalization Area" for public hearing;

- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-90-86 on the 25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort

Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M.,E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-06

SPECIAL ORDINANCE NO. S-197-86

AN ORDINANCE approving City Utilities Purchase Orders #A-54639 through #A-54647, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Hamler Industries, Inc., Pain Enterprises, Inc., Huskey Charcoal Sales, Inc., H-V-C Chemical Company, Inc., Lucier Chemical Industries, LTD., Tennessee Chemical Company, Bonded Chemicals Corporation and Ulrich Chemical, Inc., respectively, the 1987 chemical requirements for the Three Rivers Filtration Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Orders #A-54639 through #A-54647, between the City of Fort Wayne, by and through its City Utilities and the Department of Purchasing, with Hamler Industries, Inc., Pain Enterprises, Inc., Huskey Charcoal Sales, Inc., H-V-C Chemical Company, Inc., Lucier Chemical Industries, LTD., Tennessee Chemical Company, Bonded Chemicals Corporation and Ulrich Chemical, Inc., respectively, for the Three Rivers Filtration Plant, respectfully for:

the purchase of Anhydrous Ammonia, Liquid Carbon Dioxide, Powdered Activated Carbon, Soda Ash, Sodium Chlorite, Sodium Silicoflouride, Ferri-Sulfate and Liquid Chlorine for the Three Rivers Filtration Plant, per the specifications in reference #798, for the 1987 chemical requirements;

involving a total cost of Five Hundred Eighty-Six Thousand Two Hundred Sixty-Three and 36/100 Dollars (\$586,263.36), (Hamler Industries, Inc., - \$4,840.00; Pain Enterprises, Inc. - \$143,136.00; Huskey Charcoal Sales, Inc., - \$207,196.00; H-V-C Chemical Company, Inc., \$79,243.00; Lucier Chemical Industries, LTD. - \$32,256.00; Tennessee Chemical Company - \$87,232.00 Bonded Chemicals Corporation - \$6,872.00; Ulrich Chemical, Inc., - \$25,488.36), all as more particularly set forth per the specifications in reference #798, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: 11-25-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-197-86 on the 25th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-07

SPECIAL ORDINANCE NO. S-198-86

AN ORDINANCE approving City Utilities Purchase Orders #A-54649 and #A-54655, by the City of Fort Wayne, Indiana by and through its Department of Purchasing and Marblehead Lime Co., and Gerig's Trucking Co., respectively, for the Three Rivers, Filtration Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Orders #A-54649 and #A-54655, between the City of Fort Wayne, by and through its City Utilities and the Department of Purchasing, with Marblehead Lime Co., and Gerig's Trucking Co., respectively, for the Three Rivers Filtration Plant, respectfully for:

the purchase of and the delivery of Pebble Lime for the Three Rivers Filtration Plant, per the specifications in Reference #799, for 1987 requirements;

involving a total cost of Five Hundred Seventy-Three Thousand Four Hundred Ninety-Eight and No/100 Dollars (\$573,498.00), (Marblehead Lime Co. - \$436,348.00; Gerig's Trucking Co. - \$137,150.00), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance

No. S-198-86 on the 25th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-10-11

ZONING MAP ORDINANCE NO. Z-14-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a P.O.D. (Professional Office District)
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

1.08 acres of land in the East Half of
the Southeast Quarter of Section 32,
Township 31 North, Range 13 East, in
Allen County, Indiana, described as
follows, to-wit:

Beginning at the Northeast corner of the
East half of the Southeast Quarter of
Section 32, Township 31 North, Range 13
East in Allen County, Indiana; thence
South 10 minutes West along the East
line of the said East Half of the
Southeast Quarter of Section 32,
Township 31 North, Range 13 East, a
distance of 485.1 feet; thence West a
distance of 95.0 feet; thence North 10
minutes East a distance of 485.1 feet to
the North line of the said East Half of
the Southeast Quarter of Section 32,
Township 31 North, Range 13 East;
thence East along the said north line
of the East Half of the Southeast
Quarter of Section 32, Township 31
North, Range 13 East, a distance of 95.0
feet to the place of beginning;

ALSO,

1.0 acre of land in the East Half of the
Southeast Quarter of Section 32,
Township 31 North, Range 13 East, in
Allen County, Indiana, described as
follows, to-wit:

Beginning at a point on the North line
of the East half of the Southeast
Quarter of Section 32, Township 31
North, Range 13 East in Allen County,
Indiana, the said point being situated
95.0 feet west of the Northeast corner
of the East Half of the Southeast
Quarter of Section 32, Township 31
North, Range 13 East; thence South 10
minutes West a distance of 485.1 feet;
thence west a distance of 90.5 feet;
thence north 10 minutes east a distance
of 485.1 feet to the north line of the

Section 32, Township 31 North, Range East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning, containing 1.00 acre of land, more or less.

EXCEPTING THEREFROM that portion thereof conveyed for the widening of East State Blvd.

and the symbols of the City of Fort Wayne Zoning Map No. S-14, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Schmidt, Talarico
NAYS: One
Stier
ABSTAINED: None
ABSENT: None

DATE: 11-25-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-14-86 on the 25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-10-12

ZONING MAP ORDINANCE NO. Z-15-86

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. S-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby
designated a P.O.D. (professional Office District) under the
terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana
of 1974:

The West 90.5 feet of the East 773.78
feet of the North 962.5 feet of the East
1/2 of the southeast 1/4 of Section 32,
Township 31 North, Range 13 East, except
that part coveyed for the widening of
East State Blvd.

and the symbols of the City of Fort Wayne Zoning Map No. S-14,
as established by Section 11 of Chapter 33 of the Code of the
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT:None

DATE: 11-25-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-15-86 on the
25th day of November, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 26th day of November, 1986, at the hour of 11:00
o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 26th day of November, 1986,
at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-10-15

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. 0-18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby
designated a B-3-B (General Business) District under the terms
of Chapter 33 of the Code of the City of Fort Wayne, Indiana
of 1974;

A parcel of land situated in Bush's
Homestead of the City of Fort Wayne,
described as follows: Commencing at the
intersection of the north line of State
Street and the east line of Crescent
Avenue; thence east along the north line
of State Street a distance of 70 feet to
a point; thence north parallel with the
east line of Crescent Avenue a distance
of 140 feet to a point; thence west
parallel with the north line of State
Street a distance of 47 feet; more or
less, to a point in the easterly line of
St. Joe Road formed by the intersection
of the easterly line of St. Joe Road and
the south line of alley; thence south-
westerly along the easterly line of St.
Joe Road to its intersection of east
line of Crescent Avenue, approximately
38 feet; thence south along the east
line of Crescent Avenue a distance of
115.7 feet to the point of beginning,
commonly known as the North east corner
of State Street and Crescent Avenue,

and the symbols of the City of Fort Wayne Zoning Map No. 0-18
as established by Section 11 of Chapter 33 of the Code of the
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and
effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded
by Redd, and duly adopted, placed on its passage. LOST by the
following vote.

AYES: None

NAYS: Nine

Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Talarico, Stier

ASBTAINED: None

ABSENT: None

DATE: 11-25-86

Sandra E. Kennedy
City Clerk

BILL NO. A-86-11-09

APPROPRIATION ORDINANCE NO. A-09-86

AN ORDINANCE appropriating monies into depleted accounts for the 1986 budgets of various funds and departments of the City, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 1986

WHEREAS, an emergency exists for the appropriation of additional monies to the 1986 budgets of various departments to provide sufficient operating funds for the remainder of 1986; and

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the funds specified and in the appropriations of certain departments as specified; and

WHEREAS, such appropriations and transfers have been recommended by the City Controller

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

<u>DEPARTMENT</u> <u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Metropolitan Human Relations Grant \$85,000.00	4111	Salaries & Wages
500.00	4219	Office Supplies
2,500.00	4323	Telephone
2,000.00	4331	Printing
2,500.00	4324	Travel
800.00	4371	Rent
4,500.00	4399	Contractual Services
		TOTAL
<u>\$97,800.00</u>		
Park Grant \$30,000.00	4111	Salaries & Wages
Street Department \$85,000.00	4111	Salaries & Wages
	4399	Contractual Services

\$115,000.00

Land Sale

4399

Contractual
Services

\$70,000.00

TOTAL ALL DEPARTMENTS

\$397,800.00

SECTION 2. That the following accounts of the various departments or funds listed below are hereby reduced in the following amounts respectively, to-wit:

<u>DEPARTMENT AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Park Grant Fund	122	Unobligated Balance
\$30,000.00		
Metropolitan Human Relations Grant Fund	131	Unobligated Balance
\$97,000.00		
Land Sale	167	Unobligated Balance
\$70,000.00		
MVH Fund	128	Unobligated Balance
\$200,000.00		
<hr/>		
	TOTAL ALL DEPARTMENTS	
\$397,800.00		

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Burns, Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: Two

Bradbury, Henry

DATE: 12-2-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-09-86 on the 2nd day of December, 1986.

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 3rd day of December, 1986, at the hour of 10:00 A.M.

Sandra E. Kennedy - City Clerk

Approved and signed by me this 4th day of December, 1986, at the hour of 1:00 o'clock P.M.

Win Moses, Jr.
Mayor

BILL NO. A-86-11-10

APPROPRIATION ORDINANCE NO. A-10-86

AN ORDINANCE transferring and appropriating monies from the unappropriated and unobligated balance in the Corporation General Fund to the 1986 Budgets of various General Fund Departments and reducing budgets of certain General Fund Departments to provide sufficient operating funds for the remainder of 1986

WHEREAS, as emergency exists for the appropriation of additional monies to the 1986 budgets of various departments to provide sufficient operating funds for the remainder of 1986; and

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the General Fund and in the appropriation of certain General Fund Departments; and

WHEREAS, such apporpirations and transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated to the 1986 budget accounts of the various departments listed below, the following amounts, respectively, to-wit:

<u>DEPARTMENT AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Police	4231	Gasoline
\$10,000.00		
	4299	Materials
\$35,000.00		
	4342	Insurance
\$20,000.00		
	4362	Vehicle Repair
\$25,000.00		
	4399	Contractural Services
\$10,000.00		
	TOTAL	
\$100,000.00		

SECTION 2. That the following accounts of the various departments listed below, and the unappropriated and unobligated balance of the General Fund, are hereby reduced in the following amounts respectively, to-wit:

<u>DEPARTMENT AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
Controller	4443	Equipment
\$17,900.00		

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 3rd day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-79-08-18

GENERAL ORDINANCE NO. G-38-86

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation
of a portion of Berry Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

A public street, known as Berry Street, running from Broadway on the east to Van Buren Street on the west, which said public street is in the City of Fort Wayne, Indiana, being in Rockhill's Amended Addition, Fort Wayne, Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six

Bradbury, Burns, Eisbart, Redd, Stier,
Talarico

NAYS: One

Schmidt

ABSTAINED: Two

GiaQuinta, Henry

ABSENT: None

DATE: 11-25-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as General Ordinance
No. G-38-86 on the 25th day of November, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 3rd day of December, 1986, at the
hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of
December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-11

RESOLUTION NO. R-91-86

A RESOLUTION ratifying the transfer of funds from Account No. 132, Parking Administration Fund, to Account No. 010, General Fund

WHEREAS, a transfer from Account No. 132, Parking Administration Fund, to Account No. 010, General Fund, was anticipated and approved in the preparation of the 1986 budget of the General Fund, and for which adequate funds exist in Account 132, and which transfer has been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the transfer by the Controller of the City of Fort Wayne, Indiana, of Fifty Thousand Dollars (\$50,000.00) from Account 132, Parking Administration Fund, to Account 010, General Fund is hereby approved and ratified all in accordance with the 1986 budget of the City of Fort Wayne and in accordance with I.C. 36-9-12-7.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Burns, Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: Two

Bradbury, Henry

DATE: 12-2-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-91-86 on the 2nd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 3rd day of December, 1986, at the

hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of
December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-12

RESOLUTION NO. R-92-86

A RESOLUTION ratifying the transfer
of funds from Account No. 345, Cumulative
Capital Fund, to Account No.
010, General Fund

WHEREAS, a transfer from Account No. 345, Cumulative Capital Fund, to Account No. 010, General Fund, was anticipated and approved in the preparation of the 1986 budget of the General Fund, and for which adequate funds exist in Account 345, and which transfer has been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the transfer by the Controller of the City of Fort Wayne, Indiana, of Four Hundred Thousand Dollars (\$400,000.00) from Account 345, Cumulative Capital Fund, to Account 010, General Fund, is hereby approved and ratified all in accordance with the 1986 budget of the City of Fort Wayne and in accordance with I.C. 6-7-1-31.1.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Burns, Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: Two

Bradbury, Henry

DATE: 12-2-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-92-86 on the 2nd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 3rd day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of December, 1986, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-13

RESOLUTION NO. R-93-86

A RESOLUTION authorizing the transfer of funds between certain accounts within the 1986 budgets of certain City Departments

WHEREAS, its has become necessary to transfer funds to certain accounts in the 1986 budgets of certain accounts of the respective City Departments; and

WHEREAS, adequate funds exist in certain accounts of the respective City Departments; and

WHEREAS, such transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne, Indiana, is hereby authorized to transfer the following stipulated sums within the 1986 budgets of the following listed City Departments:

PARKS AND RECREATION

Increase:

4342	Insurance	\$100,000.00
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Decrease:

4111	Salaries	\$100,000.00
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TRAFFIC ENGINEERING

Increase:

4111	Salaries & Wages	\$ 46,000.00
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Decrease:

4376	Equipment Rent	\$ 40,850.00
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4431	Construction	\$ <u>5,150.00</u>
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	TOTAL	\$ 46,000.00
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POLICE DEPARTMENTIncrease:

439A	Lease Payments	\$266,000.00
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Decrease:

4449	Capitalized Lease	\$266,000.00
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COMMUNICATIONS DEPARTMENTIncrease:

439A	Lease Payments	\$ 62,250.00
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Decrease:

4449	Capitalized Lease	\$ 62,250.00
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ANIMAL CONTROLIncrease:

439A	Lease Payments	\$ 4,000.00
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Decrease:

4449	Capitalized Lease	\$ 4,000.00
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FIRE DEPARTMENTIncrease:

439A	Lease Payments	\$132,000.00
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Decrease:

4444	Equipment	\$ 11,000.00
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4449	Capitalized Lease	\$121,000.00
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TOTAL		\$132,000.00
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SECTION 2. That this Resolution shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Burns, Eisbart, GiaQuinta, Redd, Schmidt,

Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, Henry

DATE: 12-2-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-93-86 on the 2nd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 3rd day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of
December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-03

DECLARATORY RESOLUTION NO. R-94-86

A DECLARATORY RESOLUTION confirming
the designation of an "Economic
Revitalization Area" under I.C.
6-1.1-12.1 for property commonly known
as the former L.S. Ayres department store building
Roth, Wehrly Realty building, Adams
Appliance store building. (CBD
Investment Group, Petitioner)

WHEREAS, Common Council has previously designated
by Declaratory Resolution the following described property
as an "Economic Revitalization Area" under Division 6,
Article II, Chapter 2 of the Municipal Code of the City of
Fort Wayne, Indiana, of 1974, as amended and
I.C. 6-1.1-12.1, to-wit:

SCHEDULE A

PARCEL 1

Tract 1

Lots Numbered 119, 120, 121,
122, 123 and 124, the vacated
alley between said Lots 121
and 122, and the vacated alley
through said Lot 120,
excepting that part of Lot 124
taken for the widening of
Clinton Street, all in the
Original Plat of the town, now
City of Fort Wayne.

Tract II

Lot 118, Lot 117 EXCEPT the
North 70 feet thereof; Lot
116, EXCEPT the North 70 feet
of the East 42.5 feet thereof;
TOGETHER WITH the East
One-Half or 2.5 feet of a 5
foot Vacated Fire Alley lying
between Lots 115 and 116, all
in the Original Plat of the
Town, now City of Fort Wayne.

PARCEL 2

Lot Number 113, except that
part given for the widening of
Clinton Street, recorded in
Miscellaneous Record 77, page
170 and Lots 114 and 115 and
also the West 2 1/2 feet of
the vacated alley adjacent
to the East side of Lot 115 in
the Original Plat of the town
(now City) of Fort Wayne,

a c

re c o r d e d i n D e e d R e c o r d D p a g e
1 6 9 , i n t h e O f f i c e o f t h e
R e c o r d e r o f A l l e n C o u n t y ,
Indiana.

PARCEL 3

A part of Lot numbered 117 Original Plat of the Town, now City of Fort Wayne, more particularly described as follows, to-wit:

Commencing at the northeast corner of said Lot 117; thence west along the north line of said lot 32.5 feet; thence South parallel with the east line of said lot 70 feet; thence east parallel with the north line of said lot 32.5 feet; thence north along the east line of said lot 70 feet to the point of beginning.

ALSO

Commencing at a point on the North line of said lot 117, 32.5 feet West of the Northeast corner; thence west along the North line of said lot, 22 feet; thence South parallel with the East line of said lot, 70 feet; thence East parallel with the North line of said lot, 22 feet; thence North parallel with the East aline of said lot, 70 feet to the point of beginning.

PARCEL 4

That part of Lot No. 116 of the Original Plat of the Town, now City of Fort Wayne, described as follows:

Commencing at a point on the north line of Lot No. 116 of the Original Plat of the town, now City of Fort Wayne, 17.5 feet east of the northwest corner of said Lot No. 116; thence east along the north line of said lot 24, feet; thence south parcel with the west line of said lot, 70 feet; thence west parallel

lots, 24 feet; thence
north parallel with the west
line of said lot 70 feet to
the place of beginning.

And

A part of lots 116 and 117,
Original Plat of the town now
city of Fort Wayne, Allen
County, Indiana, described as
follows, to-wit:

Commencing at a point on the
north line of lot 116, of said
Original Plat 41.5 feet east
of the northwest corner of
said lot 116; thence east
along the north line of said
lots 24 feet; thence south
parallel with the north and
south lines of said lots 70
feet; thence west parallel
with the east and west lines
of said lots 24 feet;
thence North parallel with the
north and south lines of said
lots 70 feet to the point of
beginning, according to the
plat thereof, recorded in
Deed Record D, page 169
in the Office of the Recorder
of Allen County, Indiana.

PARCEL 5

Lots #64 and #65 together with
the vacated 10 foot alley
between said lots and part of
Lot #66 all in the Final Plat
of the County Addition
an Addition to the Town (now
City) of Fort Wayne as
recorded in Plat Book 0, page
3.

ALSO Lot #272 and part of Lot
#1 together with the vacated
10 foot alley between said
lots all in the Final Plat of
Samuel Hanna's First Addition
to the Town (now City) of
Fort Wayne, Indiana and more
particularly described as
follows, to wit:

BEGINNING at the Northeast
corner
of Lot #64 in the County
Addition said point marked by
the center of a wrought iron

with the north line of said lot,
24 feet; thence north parallel
with the west line of said lot
70 feet to the place of beginning.

And

A part of lots 116 and 117, Original
Plat of the town now city of
Fort Wayne, Allen County,
Indiana, described as follows,
to-wit:

Commencing at a point on the north line of lot 116, of said
Original Plat 41.5 feet east of the northwest corner of said
lot 116; thence east along the north line of said lots 24
feet; thence south parallel with the north and south lines
of said lots 70 feet; thence west parallel with the east
and west lines of said lots 24 feet; thence North parallel
with the north and south lines of said lots 70 feet to the
point of beginning, according to the plat thereof, recorded
in Deed Record D, page 169 in the Office of the Recorder
of Allen County, Indiana.

PARCEL 5

Lots #64 and #65 together with the vacated 10 foot alley be-
tween said lots and part of Lot #66 all in the Final Plat of
the County Addition an Addition to the Town (now City) of
Fort Wayne as recorded in Plat Book 0, page 3.

ALSO Lot #272 and part of Lot #1 together with the vacated
10 foot alley between said lots all in the Final Plat of
Samuel Hanna's First Addition to the Town (now City) of
Fort Wayne, Indiana and more particularly described as follows,
to-wit:

BEGINNING at the Northeast corner of Lot #64 in the County
Addition said point marked by the center of a wrought iron
fence post set in a concrete wall; thence West along the
North line of Lot #64, 65 and 66 also being the South right
of way line of Berry Street a distance of 180.6 feet to an
iron pin set, said point being the Northeast corner of a
dedicated alley as recorded in Document Number 84-020566;
thence South along the East line of said Alley Dedication
a distance of 130.0 feet to an iron pin set; thence
Southeasterly continuing along an Easterly line of said
alley a distance of 32.01 feet to an iron pin set on the

PARCEL 6

Lots Numbered 173, 174 and 175
and five feet of the vacated
alley adjoining said Lot
Number 175 in the East, in
the original plat of the town
(now City) of Fort Wayne,
Allen County, EXCEPT West ten
feet of Lot 173 taken for
street purposes.

PARCEL 7

Lot Number 176 in the Original
Plat of the Town, now City, of
Fort Wayne, according to the
plat thereof.

said property more commonly known as the former L.S. Ayres
department store building, Roth, Wehrly Realty building,
Adams Appliance store building, Fort Wayne, Indiana;

the South line of Lot #1 in Samuel Hanna's First Addition, said
point located 74.4 feet East of the Southwest corner of said Lot #1; then
East along the South line of Lot #1 and Lot #272 in said Samuel Hanna's
First Addition a distance of 155.89 measured to an iron pin found, said
point being the Southeast corner of said Lot #272; thence North along the
East line of said Lot #272 and the East line of said Lot #64 in the County
Addition a distance of 150.0 feet to the point of beginning, containing
0.62 acres of land more or less.

wall; thence to ab-
the north line of #4,
and 66 also being the
right of way line of
Berry Street a distance of 180.6
feet to an iron pin
set, said point being
the Northeast corner
of a dedicated alley
as recorded in Docu-
ment Number 84-020566;
thence South along
the East line of said
Alley Dedication a
distance of 130.0
feet to an iron pin
set; thence Southeas-
terly continuing along
an Easterly line of
said alley a distance
of 32.01 feet to an
iron pin set on the
East line of Lot #1
in said Samuel Hanna's
First Addition a dis-
tance of 155.89 feet
to an iron pin found,
said point being the
Southeast corner of
said Lot #272; then-
ce North along the
East line of said Lot
#272 and the East
line of said Lot #64
in the County Addi-
tion a distance of
150.0 feet to the
point of beginning,
containing 0.62
acres of land more
or less.

*see bottom of
page*

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a three (3) year period. Said designation shall terminate at the end of that three (3) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana as Resolution No. R-94-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-05 (as amended)

DECLARATORY RESOLUTION NO. R-95-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the Northwest Corner of Wayne and Clinton Streets, Fort Wayne, Indiana.
(Town Center Garage Company, Petitioner)

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1, to-wit:

TRACT 1

Lot 125 in the Original Plat of the City of Fort Wayne, Indiana.

TRACT II

Lots 1, 2, 3, 4 5 and 6 in Kilbourne and Perry Subaddition to the City of Fort Wayne, according to the recorded plat thereof, being a subdivision of Lots 126 and 127 and the East half of the 5-foot vacated alley immediately west of Lot 127, all of the Original Plat of the Town, now City, of Fort Wayne, Allen County, Indiana.

said property more commonly known as the Northwest Corner of Wayne and Clinton Streets, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously

designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for a three (3) year period. Said designation shall terminate at the end of that three (3) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-95-86 on the 9th day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-11-21

DECLARATORY RESOLUTION NO. R-96-86

A DECLARATORY RESOLUTION confirming
the designation of an "Economic
Revitalization Area" under I.C. 6-1.1-12.1
for property commonly known as 314 East
Wallace Street, Fort Wayne, Indiana.
(Precision Laser Services,
Petitioner)

WHEREAS, Common Council has previously
designated by Declaratory Resolution the following
described property as an "Economic Revitalization Area"
under Division 6, Article II, Chapter 2 of the Municipal
Code of the City of Fort Wayne, Indiana, of 1974, as
amended and I.C. 6-1-12.1., to-wit:

E 98ft. exc. W 10ft. of N 23ft.	LOT 124 Hamiltons 4th
ADD	
W64 75 FRL	LOT 124 Hamiltons 4th
ADD	
N 35ft.	LOT 125 Hamiltons 4th
ADD	
	LOT 127 & 128
Hamiltons	
	4th ADD
	LOT 163 Hamiltons 4th
ADD	
E 1/2	LOT 164 Hamiltons 4th
ADD	
W 1/2	LOT 164 Hamiltons 4th
ADD	

said property more commonly known as 314 East Wallace
Street, Fort Wayne, Indiana;

WHEREAS, recommendations have been received
from the Committee on Finance and the Department of
Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance
of said Resolution has been published in accordance with
I.C. 5-3-1 and a public hearing has been conducted on said
Resolution;

WHEREAS, if said Resolution involves an area
that has already been designated an allocation area under
I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission
has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously
designating the above described property as "Economic
Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described
property is hereby declared an "Economic Revitalization
Area" pursuant to I.C. 6-1.1-12.1, said designation to

begin on the effective date of this Resolution and continue for a one (1) year period. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to da deduction of the assessed value of both real estate and personal property for new manufacturing equipment.

SECTION 4. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it si hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-96-86 on the 9th day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December 11, 1986, at the hour of 10:00 o'clock A.M., E.S.T.
Win Moses, Jr.
Mayor

BILL NO. R-86-12-05

RESOLUTION NO. R-97-86

A RESOLUTION authorizing the transfer
of funds between certain accounts
within the 1986 budgets of certain
City Departments

WHEREAS, it has become necessary to transfer
funds to certain accounts in the 1986 budgets of certain
accounts of the respective City Departments; and

WHEREAS, adequate funds exist in certain
accounts of the respective City Departments; and

WHEREAS, such transfers have been recommended
by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of
Fort Wayne, Indiana, is hereby authorized to transfer the
following stipulated sums within the 1986 budgets of the
following listed City Departments:

ECONOMIC DEVELOPMENT

Increase:

4399	Contractual Services	\$
7,000.00		

Decrease:

4111	Salaries & Wages	\$
7,000.00		

CONTROLLER

Increase:

4342	Liability Insurance
\$58,000.00	

Decrease:

4111	Salaries & Wages
\$12,000.00	
4136	Unemployment Compensation
\$36,000.00	
4343	Equipment
\$10,000.00	

	TOTAL	-
\$58,000.00		

SECTION 2. That this Resolution shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
GiaQuinta

DATE: 12-9-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-97-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-17 (as amended)

SPECIAL ORDINANCE NO. S-199-86

ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "VARIABLE RATE
DEMAND ECONOMIC DEVELOPMENT REVENUE
BONDS (MARK P. SHAMBAUGH PROJECT)
SERIES 1986" AND APPROVING OTHER
ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Mark P. Shambaugh Project regarding the financing of proposed economic development facilities for Mark P. Shambaugh and the Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on November 25, 1986, and also adopted a resolution on November 25, 1986, which Resolution has been transmitted hereto finding that the financing of certain economic development facilities of Mark P. Shambaugh complies with the purposes and provisions of I.C. 36-7-11.1 and 12 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, the Tender Agent Agreement, the Guaranty Agreement, the Mortgage and Security Agreement, the Indenture of Trust, Lease, Conditional Assignment of Lease, Consent to Lease Assignment, the Remarketing Agreement, the Tender Agent Agreement, The Guaranty Agreement, the Letter of Credit, the Credit Agreement, the Confirming Bank Reimbursement Agreement and the Official Statement; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Mark P. Shambaugh (the "Developer") for the acquisition construction and equipping of such facilities, the payment of the revenue bonds by the payments of the Company under the Loan Agreement, the leasing of the economic development facilities to Shambaugh & Son, Inc., under the Lease, and the securing of said bonds under the Indenture of Trust complies with the purposes and provisions of I.C. 36-7-11.9 and 12 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The economic development facilities

will consist of the acquisition, construction and equipping of a new warehouse, fabrication and office facility, to be used in the construction/engineering business of the Developer, located on the northwest corner of Cook Road and the vacated Conrail railroad, in Fort Wayne, Indiana (the "Project"), The Developer will lease the Project to Shambaugh & Son, Inc.

Section 3. At the public hearing held by the Fort Wayne Economic Development Commission, the Commission considered whether the economic development facilities would have an adverse competitive effect on any similar facilities located in or near the City of Fort Wayne, and found, based on special findings of fact set forth in the Resolution transmitted hereto, that the facilities would not have an adverse competitive effect. This Common Council hereby confirms the findings set forth in the Commission's Resolution, and concludes that the economic development facilities will not have an adverse competitive effect on any other similar facilities in or near the City of Fort Wayne, and the facilities will be of benefit to the health and welfare of the citizens of City of Fort Wayne.

Section 4. The substantially final forms of the Loan Agreement, the Mortgage and Security Agreement, the Indenture of Trust, Lease, Conditional Assignment of Lease, Consent to Lease Assignment, the Remarketing Agreement, the Tender Agent Agreement, the Guaranty Agreement, the Letter of Credit, the Credit Agreement, the Confirming Bank Reimbursement Agreement and the Official Statement approved by the Fort Wayne Economic Development Commission are hereby approved (herein collectively referred to as the "Financing Agreement" referred to in I.C. 36-7-11.9 and 12), and the Financing Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of I.C. 36-1-5-4, two (2) copies of the Financing Agreement are on file in the office of the Clerk for public inspection.

Section 5. The City of Fort Wayne shall issue its Variable Rate Demand Economic Development Revenue Bonds (Mark P. Shambaugh Project) Series 1986, in the total principal amount of Three Million One Hundred Thousand Dollars (\$3,100,000) and maturing on December 1, 2001, which in no event shall exceed 30 years from the date of issuance of the bonds. Said bonds are to be issued for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the payments made by the Developer under the Loan Agreement or as otherwise provided in the above described the Indenture of Trust. The bonds shall be issued in fully registered form in the denomination of \$100,000 or integral multiples thereof prior to the Conversion Date (as defined in the Indenture of Trust), and in the denomination of \$5,000 or integral multiples thereof on or after the Conversion Date, and shall be redeemable as provided in Article III of the Indenture of Trust. Payments of principal and interest are payable in lawful money of the

United States of America at the principal office of the Trustee or its successor in trust or by check or draft mailed or delivered to the registered owners as provided in the Indenture of Trust. The bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne, nor are the bonds payable in any manner from revenues raised by taxation.

Section 6. The Mayor and Clerk are authorized and directed to sell such bonds. The rate of interest per annum on the bonds shall not exceed (1) the Variable Rate as determined under the Indenture of Trust from time to time, or (2) the Bank Rate as determined under the Indenture of Trust or (3) the Fixed Rate as determined under the Indenture of Trust at the Conversion Date. The bonds shall be sold to Drexel Burnham Lambert, Inc., (the "Placement Agent/Remarketing Agent") at a price of not less than 98% of the principal amount thereof, but the Placement Agent/Remarketing Agent may charge the developer an additional fee for its services but such fee shall not be paid from bond proceeds.

Section 7. The Mayor and Clerk are authorized and directed to execute, attest, affix or imprint by any means the City seal to the document constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The Mayor and Clerk are hereby expressly authorized to approve any modifications or additions to the documents constituting the Financing Agreement which take place after the date of this Ordinance with the review and advice of the City Attorney; it being the express understanding of this Common Council that said Financing Agreement is in substantially final form as of the date of this Ordinance. The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof and the affixing the seal thereto or the imprinting of the seal thereon; provided, however, that no such modification or addition shall change the maximum principal amount of, interest rate on or term of the bonds as approved by the Common Council by this Ordinance without further consideration by the Common Council. The signatures of the Mayor and Clerk on the bonds may be either manual or facsimile signatures. The Clerk is authorized to arrange for delivery of such bonds to the Trustee named in the Indenture of Trust, and payment for the bonds will be made to the Trustee named in the Indenture of Trust and after such payment the bonds will be delivered by the Trustee to the purchaser thereof. The Mayor and Clerk shall execute and the Clerk shall deliver the bonds to the Trustee within ninety days of the adoption of this ordinance. The bonds shall be originally dated the date of authentication by the Trustee.

Section 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Variable Rate Demand Economic Development Revenue Bonds (Mark P. Shambaugh Project) Series 1986, and after the issuance of said bonds, this Ordinance shall not

be repealed or amended in any respect which would adversely affect the rights of such holders so long as said bonds or the interest thereon remains unpaid.

Section 9. The City hereby elects to issue the bonds pursuant to the \$10,000,000 small issue exemption set forth in Section 144(a)(4) of the Internal Revenue Code of 1986.

Section 10. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQunita

DATED: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-199-86 on the 9th day of December, 1986.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 19th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-18

SPECIAL ORDINANCE NO. S-200-86

AN ORDINANCE approving Civil City Purchase Order #A-49369, with S.E. Jahn Company, Inc., for the Foellinger Theatre, through the Department of Parks and Recreation, of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order #A-49369, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with S.E. Jahn Company, Inc., for the Foellinger Theatre, through the Department of Parks and Recreation, is hereby ratified, and affirmed and approved in all respects. The work under said Purchase Order requires:

the purchase of material, labor and equipment to install a new roof and drains at the Foellinger Theatre, per the specifications in Reference #2874;

the Purchase Order price is Seven Thousand Eight Hundred Eighty and No/100 Dollars (\$7,880.00).

SECTION 2. Prior Approval is requested from Common Council with respect to this Purchase Order, on November 25, 1986. Two (2) copies of this Purchase Order, attached hereto, are on file with the Department of Purchasing, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-200-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-19

SPECIAL ORDINANCE NO. S-201-86

AN ORDINANCE approving the awarding of Reference #2874, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the Xerox Corporation, for the Technical Service Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #2874, between the City of Fort Wayne, by and through its Department of Purchasing and the Xerox Corporation, for the Technical Service Department, respectfully for:

the lease of a copy machine for the Technical Service Department; purchase orders will be issued on a monthly basis as they are due:

involving a total cost of Eighteen Thousand Nine Hundred Thirty-Six and No/100 Dollars (\$18,936.00). (\$789.00 per month for two-year lease) all as more particularly set forth in said Reference #2874, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-201-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-29

SPECIAL ORDINANCE NO. S- 202-86

AN ORDINANCE approving Contract for
Res. 6062-1976 Asphalt
Resurfacing 4th Package, between the
City of Fort Wayne, Indiana
and Wayne Asphalt & Construction
Company, in connection with the
Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Res.
6062-1986 - 1986 Asphalt Resurfacing 4th Package, between
the City of Fort Wayne, by and through its Board of Public
Works and Safety, and Wayne Asphalt & Construction Company,
is hereby ratified, and affirmed and approved in all
respects. The work under said Contract requires:

the improvement by resurfacing and
restoring pavement as designated on the
attached Resolution;

the Contract price is Two Hundred Eighty-Two Thousand Three
Hundred Thirty-Six and 10/100 Dollars (\$282,336.10).

SECTION 2. Prior Approval was received from
Common Council with respect to this Contract, on November
18, 1986. Two (2) copies of the Contract, attached hereto,
are on file with the City Clerk, and are made available for
public inspection, according to law.

SECTION 3. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by
Henry, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Special Ordinance
No. S-202-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkSamuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-30

SPECIAL ORDINANCE NO. S-203-86

AN ORDINANCE approving Change Order
No. 1 (Final) Res. 420-86, Miami
Village Storm Sewer Separation,
with Land Excavating, Inc., in
connection with the Board of Public
Works and Safety of the City
of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, (Final) for
Res. 420-86, Miami Village Storm Sewer Separation, with Land
Excavating, Inc., in connection with the Board of Public
Works and Safety, for:

This change order is necessary because
certain items have been increased or
decreased based on the final inspection
and measurements. Items #19 and 20 were
required because the actual location of
the existing water lines in the ground
were very different from the best
available information about the water
lines, which were determined from
records and surface locating devices;

involving a net decrease of Five Thousand Sixty-Eight and
08/100 Dollars (\$5,068.08), all as more particularly set
forth in the specifications, and which is on file with the
Office of the Board of Public Works and Safety and is by
reference incorporated herein, made a part hereof, and is
hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt,
Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana as Special Ordinance
No. S-203-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 10th day of December, 1986, at the
hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of
December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-31

SPECIAL ORDINANCE NO. S-204-86

AN ORDINANCE approving Water Contract No. 86-06 - Kirkwood Park, Phase II, between Scheidleman Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Water Contract No. 86-06 - Kirkwood Park, Phase II, by and between Scheildmen Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the furnishing of all labor, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary to install 3,125 \pm L.F. of 6" CL. 50 Ductile Iron Water Main pipe as follows: On Springfield Avenue from Crescent Avenue to Rolston Street. On Kirkland Avenue from Springfield Avenue to Kirkwood Drive. On Merivale Street, from Springfield Avenue to Rolston, all located in Kirkwood Park Addition:

the Contract price is Sixty-Eight Thousand Two Hundred Seventeen and 50/100 Dollars (\$68,217.50), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One

GiaQuinta

DATE: 12-9-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana as Special Ordinance
No. S-204-86 on the 9th day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 10th day of December, 1986, at the
hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of
December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-14 (as amended)

SPECIAL ORDINANCE NO. S-205-86

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana amending Chapter 14.7, entitled "Housing and Building Standards," by adding an article entitled "Smoke Detectors", which requires the installation of smoke detectors in all family living units within the corporate limits of the city

WHEREAS, six thousand Americans die by fire annually and three hundred thousand are severely injured by fire annually, of which fifty thousand are unable to return to a normal way of life; and

WHEREAS, the citizens of Fort Wayne, Indiana contributed 15 deaths as a part of these statistics in 1986, of whom 77% were in homes with no smoke detector or its was inoperable, and 65% of these victims were asleep at the time the fire broke out; and

WHEREAS, the National Commission on Fire Prevention and Control have concluded that the larger percentage of these deaths and injuries could have been avoided; and

WHEREAS, fire chiefs, firefighters and fire experts, nationwide, endorse this conclusion; and

WHEREAS, the Common council of the City of Fort Wayne, Indiana is committed to preserving the welfare of all its citizens, as tenants and homeowners; and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana recognizes that the protection of the public's health, safety and welfare from fires may be improved by the installation and maintenance of smoke detectors.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT CHAPTER 14.7 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA ENTITLED "HOUSING AND BUILDING STANDARDS" IS AMENDED BY ADDING THE FOLLOWING ARTICLE:

SMOKE DETECTORS

SECTION 1. DEFINITIONS: For purposes of this chapter, the following definitions shall apply.

a. "Alarm Signal," An audible signal indicating the detection of visible or invisible, particles or products of combustion other than heat.

b. "Authority having jurisdiction." The Fort Wayne Fire Department and the Safe Housing and Building Standards Department of the City of Fort Wayne which have enforcement responsibility for this article.

c. "Family Living Unit, " That structure, area, room, or combination of rooms in which a family (or individual) lives. This is meant to cover living area only and not common usage areas in multi-family buildings such as corridors, lobbies, basements, etc.

d. "Labeled," Equipment or materials to which has been attached a label, symbol or other identifying mark of an organization acceptable to the "authority having jurisdiction".

e. "Listed" Equipment or materials included in a list published by an organization acceptable to the "authority having jurisdiction" and which product meets appropriate standards or has been tested and found suitable for use in a specified manner.

f. "NFPA74," Standard 74 of the National Fire Protection Association, which is located in Batterymarch Park, Quincy, MD 02269.

g. "Rental Agent." Any person, partnership or corporation, who rents, subleases, lets or otherwise grants for a consideration the right to occupy premises not owned by the occupant. This term shall not be construed to mean a real estate agent who is employed for the sole purpose of selling residential units.

h. "Sleeping area," The area or areas of the family living unit in which the bedrooms (or sleeping rooms) separated by other use areas, such as kitchens or living rooms, (but not bathrooms), shall be considered sleeping areas.

i. "Shall" Indicates a mandatory requirement.

j. "Smoke Detector" shall be defined as a device which detects visible or invisible particles or products of combustion other than heat, as approved by Underwriters Laboratories, Inc. or Factory Mutual. The smoke detector shall be equipped with a test button, and it shall produce an alarm signal upon detection of any visible particles or products of combustion. It may be either battery powered with a minimum 9 volt or it may be powered by a 110 volt alternating current.

SECTION 2. BASIC REQUIREMENTS

All family living units within the corporate limits of the City of Fort Wayne, Indiana shall be equipped with a minimum of one functional, properly located, labeled and listed, smoke detector, or its equivalent or better, as described in the NFPA74.

SECTION 3. INSTALLATION; LOCATION.

a. A minimum of one smoke detector, or its equivalent or better as described in the NFPA74, shall be installed in each family living unit within the corporate limits of the City of Fort Wayne, Indiana.

b. All smoke detectors must be installed according to the

manufacturer's instructions and subject to the approval of the "authority having jurisdiction".

c. The smoke detector shall be installed to protect the sleeping areas and shall be located outside of the bedrooms but in the immediate vicinity of the sleeping areas, within 15 feet of all rooms used for sleeping areas.

d. The smoke detector shall be installed on or near the ceiling, not less than six (6) inches from any wall, or on a wall, not less than six (6) inches nor more than twelve (12) inches from the ceiling, and its installation shall be subject to approval by the "authority having jurisdiction". No detector shall be recessed into the ceiling.

e. All smoke detectors shall be accessible for servicing and testing.

f. If a smoke detector is A.C. powered, it must be directly attached to a junction box not controlled by any switch other than the main power supply. The installation of A.C. powered detectors shall conform to all electrical standards adopted by the Allen County Building Department. A smoke detector required under this chapter shall be installed according to the directions and specifications of the manufacturer, but if in conflict with any county electrical standard, the county electrical standard shall take precedence.

SECTION 4. MAINTENANCE.

It shall be unlawful for any person to tamper with or remove any smoke detector, except when it is necessary for maintenance or inspection purposes. Any smoke detector removed for repair or replacement shall be re-installed or replaced so that it is operable and in place during normal sleeping hours.

a. RENTED RESIDENTIAL DWELLING UNITS. Each smoke detector may be tested in accordance with manufacturer's recommendations, but shall be tested at six (6) month intervals in every individual residential dwelling unit, and maintained as necessary, to ensure it is in operable condition. At any change of tenancy, smoke detectors shall be tested and be in operable condition before the unit is re-occupied.

b. OWNER-OCCUPIED DWELLING UNITS. Each smoke detector may be tested in accordance with manufacturer's recommendations, but shall be tested at six (6) month intervals, and maintained as necessary, to ensure its is in operable condition.

SECTION 5. DUTY OF PROPERTY OWNER, MANAGER, OR RENTAL AGENT.

Every owner, or the manager or rental agent of such owner of any such residential dwelling unit shall be responsible for the installation of all smoke detectors. It is the responsibility of the tenant to maintain all such smoke detectors provided by the owner in good working order until said tenant vacates the premises unless said smoke detector

requires AC power supply, then the responsibility for maintaining such smoke detector shall be the responsibility of the owner, manager or rental agent of the property.

SECTION 6. ENFORCEMENT OF PROVISIONS.

The City Fire Department and the Safe Housing and Building Department shall be charged with the duty of enforcing the terms of this article of this chapter.

SECTION 7. VIOLATION/PENALTY.

a. Any person, firm or corporation violating any provisions of this article of this chapter, or who shall fail to comply with an order as affirmed or modified by the authority having jurisdiction shall be subject to a fine of \$50.00.

b. Each day such violation is permitted to continue may be deemed to constitute a separate offense.

c. The violation and penalty as herein described in this article shall not be subject to any other fine or penalty within this chapter.

SECTION 8. Severability.

The provisions of this article of this chapter are severable, and if any sentence, section, or other part of this article shall be found to be invalid, such invalidity shall not affect the remaining provisions and the remaining provisions shall continue to be in full force and effect.

SECTION 9. That this ordinance shall be in full force and effect January 1, 1987 and from and after its passage and legal publication, any and all necessary approval by the mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, Henry, Redd, Schmidt,
Stier, Talarico

NAYS: None ABSTAINED: None

ABSENT: One GiaQuinta

DATE: 12-9-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance S-205-86 on the 9th day of December, 1986.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of December, 1986, at the hour of 1:00 o'clock P.M.E.S. T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 11th day of December, 1986, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-08-31 (AS AMENDED)

GENERAL ORDINANCE NO. G-39-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated
utility easement

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendations to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

that portion of the utility easement, 14 feet in width, which lies 7 feet on each side of the boundary line between Lots #85 and Block "A" in Winterset, Section IV, an Addition to the City of Fort Wayne, Allen County, Indiana, exclusive of the utility easement along the Easterly line of said Lot #85 and said Block "A", and also exclusive of the utility easement along the Northeasterly right-of-way line of River Haze Road, said portion being described as follows, to-wit:

Beginning on the Southeasterly line of said Block "A" at a point situated 15.0 feet, N 26 degrees 21 minutes E from the Southeast corner of said Block "A"; thence 22 degrees 52 minutes 40 seconds W, on and along the Easterly line fo an existing utility easement, a distance of 9.24 feet; thence N 26 degrees 21 minutes E, a distance of 127.02 feet; thence N 71 degrees 57 minutes E, a distance of 144.54 feet to a point situated 14.0 feet Westerly of the Easterly line of said Block "A"; thence S 18 degrees 03 minutes E and parallel to said Easterly line, a distance of

minutes W, a distance of 138.66 feet thence S 26 degrees 21 minutes W, a distance of 127.29 feet to a point situated 15.0 feet (measured radially Northeasterly from the Northeasterly right-of-way line of River Haze Road; thence Northwesterly, on and along the arc of a regular curve to the left, tangent to the last course, having a radius of 200.27 feet and being concentric to said Northeasterly right-of-way line, an arc distance of 7.0 feet, being subtended by a chord having a length of 7.0 feet and a bearing of N 62 degrees 39 minutes W to the point of beginning.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-39-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

BILL NO. G-86-10-16

GENERAL ORDINANCE NO. G-40-86

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a dedicated easement

WHEREAS, a petition to vacate a dedicated easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereof; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated easement within the City of Fort Wayne, more specifically described as follows, to-wit:

For the vacation of a portion of a fifty foot wide utility and surface drainage easement laying adjacent to and parallel with the North line of Fox Chase condominiums in a part of Richardsville Reserve in Township 31 North, Range 13 EAST, Allen County, Indiana, and bounded and described as follows: Commencing at the southwest corner of Richardsville Reserve in Township 31 North, Range 13 East; thence North 26 degrees 00 minutes 00 seconds East along the West line of said Reserve, 3709.52 feet; thence south 88 degrees 46 minutes 13 seconds East along the North line of Fox Chase, Section I, 1316.09 feet to the Northwest corner of the land being occupied by Unit 19 in Fox Chase; thence South 29 degrees 30 minutes 23 seconds East along the West line of the lands occupied by said Unit 19, 58.17 feet to a point on the south line of fifty foot wide utility and surface drainage easement; thence South 88 degrees 46 minutes 13 seconds East along the South line of said easement 80.00 feet; thence South 88 degrees 46 minutes 13 seconds East, 30.00 feet; thence North 01 degrees 13 minutes 47 seconds East, 10.00 feet; thence North 88 degrees 46 minutes 13 seconds West, 30.00 feet; thence South 01 degrees 13 minutes 47 seconds West, 10.00 feet to the point of beginning of easement vacation.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all

respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-40-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-12-06

RESOLUTION NO. R-98-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing the City to apply for a
\$125,000.00 Grant from the State of
Indiana, pursuant to the State's Energy
Policy's Big City Residential
Energy Management Program

WHEREAS, the State of Indiana, through its
Department of Commerce, has created a City RESidential
Energy Management Program under which monies may be utilized
to assist low and moderate income residences; and

WHEREAS, the City of Fort Wayne, through its
Division of Community Development and Planning, is desirous
and participating in the Program, to and for the benefits of
residents of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne, Indiana, by
and through its Division of Community Development and
Planning, is hereby authorized to participate in the State
of Indiana's Energy Policy's Big City Residential Energy
Management Program and, further, the City is authorized and
empowered to apply for a Grant of One Hundred Twenty-Five
Thousand and No/100 Dollars (\$125,000.00), which will be
utilized to benefit approximately Two Hundred (200) low and
moderate income residences by way of providing to them
certain weatherization improvements and for weatherization
kits. Furthermore, those individuals required to execute
documents to participate in the Program and apply for the
Grant, are hereby so empowered and authorized to execute
such documentation, as may be required by the State of
Indiana, to accomplish the above and foregoing.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,

Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-98-86 on
the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of December, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of
December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-12-33

RESOLUTION NO. R-99-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing asbestos removal at
Hanna School

WHEREAS, the Common Council has approved of the
demolition of Hanna School and the contract with respect to
same;

WHEREAS, its has come to the attention of the
City that the School contains asbestos materials that need
to be removed, prior to demolition, to and for the benefit
of the citizens of this community; and

WHEREAS, the Board of Public Works and Safety of
the City has received quotes with respect to such asbestos
removal.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That approval is hereby given for
the City to contract with C.H.D.D. for asbestos removal at
Hanna School for a price of Eleven Thousand Three Hundred
Sixty-Five and No/100 Dollars (\$11,365.00).

SECTION 2. That this Resolution shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Seven
Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, Henry

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-99-86 on
the 30th day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort

Wayne, Indiana, on the 5th day of January , 1987, at the
hour of 9:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 7th day of January,
1987, at the hour of 10:00 o'clock A.M.,E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-16

SPECIAL ORDINANCE NO. S-206-86

AN ORDINANCE of the Common Council
of the City of Fort Wayne, Indiana,
approving the awarding of a contract
to Martin Enterprises, Inc., for the
demolition of Hanna School and approving the
conveyance of property to the
City of Fort Wayne

WHEREAS, the City previously advertised and published request for bids with respect to the sale of certain City property known as the Hanna School area;

WHEREAS, such property was conveyed by the City to a third party, pursuant to the bid received.

WHEREAS, all such property has been reconveyed to the City and the City is desirous of causing the improvements upon such property to be demolished;

WHEREAS, the Board of Public Works and Safety of the City of Fort Wayne has advertised for bids relative to the demolition of buildings and structures and the clearing of the site, located at 2000 South Lafayette Street, Fort Wayne, Indiana, known as the Hanna School Building; and

WHEREAS, the Board of Public Works and Safety has awarded such contract to Martin Enterprises, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The attached Contract, by and between the City of Fort Wayne and Martin Enterprises, Inc., for Fifty-Four Thousand Seven Hundred and NO/100 Dollars (\$54,700.00), is hereby ratified and approved in all respects and the members of the Board of Public Works and Safety are hereby empowered and authorized to execute such agreement.

SECTION 2. That the City's acquisition and receipt of the property and the conveyance of such property to the City are hereby approved and ratified.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six
Eisbart, GiaQuinta, Henry, Redd, Stier,

Talarico
NAYS: One
Schmidt
ABSTAINED: One
Burns
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-206-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of December, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of
December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-01

SPECIAL ORDINANCE NO. S-207-86

AN ORDINANCE of the Common Council
of the City of Fort Wayne, Indiana,
amending the 1986 and 1987 Salary
Ordinances, Special Ordinance No.
S-141-85 and Special Ordinance
S-124-86, respectively, adding Council's
Legal Research Assistant as
an employee

WHEREAS, the Common Council, as a legislative
body of the City, has the ability to contract with or hire,
as an employee, Legal Research Assistants per
I. C. 36-4-6-24;

WHEREAS, the Council has previously utilized the
services of a Legal Research Assistant on an independent
contractor basis; and

WHEREAS, the Council is desirous of establishing
such a position of Legal Research Assistant as an employee.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The position of Legal Research
Assistant to the Common Council of the City of Fort Wayne,
Indiana, is hereby made an employee position and,
accordingly, the Salary Ordinance of the City of Fort Wayne,
Indiana, is hereby amended to provide that such position
shall be an employee, all done pursuant to I.C. 36-4-6-24.
Monies to pay such Legal Research Assistant have been
previously appropriated and, accordingly, no additional
appropriations are required. Furthermore, the 1987 Salary
Ordinance of the City of Fort Wayne, is amended to add
such Legal Research Assistant position of the Common Council
as an employee. The compensation of the individual holding
such position is hereby fixed in an amount equal to
compensation previously paid to such individual as a
contractor, less appropriate withholdings for taxes, etc.
Furthermore, the person holding such position shall be
entitled to all benefits extended other exempt employees.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Eight

Schmidt, Burns, Eisbart, GiaQuinta, Henry, Redd,

Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-207-86 on the 23rd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of December, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of
December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-02

SPECIAL ORDINANCE NO. S-208-86

AN ORDINANCE approving Civil City
Purchase Order #A-49419, with
Glenbrook Dodge, for the
Department of Parks and Recreation
of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order
#A-49419, between the City of Fort Wayne, by and through its
Department of Purchasing and the Civil City Purchasing
Agent, with Glenbrook Dodge, respectfully for:

the purchase of two (2) five
passenger sedans for the Board
of Park Commissioners, per the
specifications in reference
#1264;

involving a total cost of Seventeen THousand Three Hundred
Eighty-Nine and 32/100 Dollars (\$17,389.32), all as more
particularly set forth in said Purchase Order, which is on
file in the Office of the Department of Purchasing, and is
by reference incorporated herein, made a part hereof, and is
hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-208-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-03

SPECIAL ORDINANCE NO. S-209-86

AN ORDINANCE approving Civil City Purchase Orders #A-49421 and #A-49422, with Allen County Motors and Kelley Chevrolet, respectively, for the Department of Parks and Recreation of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #A-49421 and #A-49422, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with Allen County Motors and Kelley Chevrolet, respectively, for the Department of Parks and Recreation, respectfully for:

the purchase of two (2) one ton dump trucks and one (1) two ton cab and chassis, per the specifications in Reference #1265, for the Board of Park Commissioners;

involving a total cost of Forty-Seven Thousand Nine Hundred Seventy-Five and 82/100 Dollars (\$47,975.82), (Allen County Motors, \$23,954.58; Kelley Chevrolet, \$24,021.24), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the

City of Fort Wayne, Indiana, as Special Ordinance
No. S-209-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of December, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of
December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-04

SPECIAL ORDINANCE NO. S-210-86

AN ORDINANCE approving Civil City Purchase Orders #A-49425, #A-49426 and #A-49427, with Kenny Machinery Corporation, Allen County Tractor Sales, Inc., and Indiana Turf Equipment Corporation, respectively, for the Department of Parks and Recreation of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #A-49425, #A-49426 and #A-49427, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with Kenny Machinery Corporation, Allen County Tractor Sales, Inc., and Indiana Turf Equipment Corporation, respectfully for:

the purchase of Two (2) Riding Rotary Mowers, One (1) Utility Vehicle with Power Convertor, One (1) Equipment Trailer, Two (2) Utility Tractors and One (1) set of Seven Gang Golf Course Mowers, per the specifications in Reference @1267, for the Department of Parks and Recreation;

involving a total cost of Forty-Four Thousand Seven Hundred Thirty-Two and 32/100 Dollars (\$44,732.32), (Kenny Machinery Corporation, \$17,337.00; Allen County Tractor Sales, Inc., \$18,403.32; and Indiana Turf Equipment Corporation, \$8,992.00), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any all necessary approval by the Mayor.

Charles B. Redd
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-210-86 on the 23rd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-14

SPECIAL ORDINANCE NO. S-211-86

AN ORDINANCE approving Civil City Purchase Orders #A-49321, #A-49322 and #A-49323, with Dickers Hardware, Leo Builders, and Waynedale Lumber, respectively, for the Department of Community Development and Planning of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Orders #A-49321, #A-49322 and #A-49323, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with Dickers Hardware, Leo Builders, and Waynedale Lumber, respectively, respectfully for:

the purchase of home improvement items for the "Home Savers Program" through the Department of Community Development and Planning, per the specifications in Reference #2950;

involving an approximate total cost of Fifteen Thousand Eight Hundred Dollars (\$15,800.00), (Dickers Hardware, approximately \$7,640.00; Leo Builders, approximately \$5,420.00; Waynedale Lumber, approximately \$2,740.00), all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-211-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-07

SPECIAL ORDINANCE NO. S-212-86

AN ORDINANCE approving Change Order No. 1 for Vance Avenue - Five (5) Year Capital Improvement Project, with Security Leasing, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No.1 for Vance Avenue - Five (5) Year Capital Improvement Project, with Security Leasing, Inc., in connection with the Board of Public Works and Safety, for:

Change Order #1 for Vance Avenue is a joint project involving the City of Fort Wayne and Mutual Security, Inc. The project involved Mutual Security, Inc., constructing a new lane of concrete pavement from Sherborne Blvd. to Coliseum Blvd. along Vance Avenue for the purpose of developing a new complex. The pavement in the westbound lane of Vance Ave. was in such a bad shape that the City agreed to remove and replace 525 ± ft. of the pavement. The J-Bolts were needed to tie the two slabs together when it was found there was none in the existing pavement. The additional removal and replacement was necessitated by finding more bad pavement. This project is included in five-year improvement program (1976-1990) and is in accordance with Agreement for contribution to Cost of Road Construction between City and Security Leasing, Inc., as per the attached;

involving a net increase of Eight Thousand Three Hundred Twenty and No/100 Dollars (\$8,320.00), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-212-86 on the 23rd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-08

SPECIAL ORDINANCE NO. S- 213-86

AN ORDINANCE approving the Miscellaneous Bid for Aspen Court Cul-De-Sac Repair Pavement, Res. #6070-86, with Mergy Construction Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Miscellaneous Bid for Aspen Court Cul-De-Sac Repair Pavement, Res. #6070-86, with Mergy Construction Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, respectively for:

the miscellaneous invitational bid for Aspen Court Cul-De-Sac Pavement Removal and Replacement (West side) is as per the attached drawing;

involving a total cost of Twelve Thousand One Hundred Fifty and 50/100 Dollars (\$12,150.50), all as more particularly set forth on attached Bid Tab Sheet, which is on file in the Office of the Board of Public Works and Safety, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

Read the third time in full and on motion by Henry, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-213-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-09

SPECIAL ORDINANCE NO. S-214-86

AN ORDINANCE approving Change Order No. 1 for Wallen Road/Coldwater Rd. Offsite - Water Contract 86-XP-4, with Scheidleman Excavating, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Wallen Road/Coldwater Rd. Offsite - Water Contract 86-XP-4, with Scheidleman Excavating, Inc., in connection with the Board of Public Works and Safety, for:

this Change Order is necessary because bore of water main under Coldwater Road was added per requirement of Allen County Highway Department after bidding;

involving a net increase of Ten Thousand Nine Hundred Eight and 15/100 Dollars (\$10,908.15), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-214-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-10

SPECIAL ORDINANCE NO. S-215-86

AN ORDINANCE approving Change Order
No. 2 (Final) GM Water Project
Contract 86-XP-5, 24" Indianapolis,
Lafayette, Feighner Rds. Div. II
Feeder Main, with T-G Excavating, Inc.,
in connection with the Board
of Public Works and Safety of the
City of Fort Wayne, Indiana

NOW, THEREFORE BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 (Final), GM
Water Project Contract No. 86-XP-5, 24" Indianapolis,
Lafayette, Feighner Rds. Div. II Feeder Main, with T-G
Excavating, Inc., in connection with the Board of Public
Works and Safety, for:

this Change Order is necessary because
of the following: Item 2a and *f were
increased, due to extended length of
excavation in Feighner Road Pavement,
because of buried cables found along
proposed route. Items 2b, 7a, 3*, *a,
*h, are adjustments to final
quantities. 11 and 13 are additional
items required per engineering
instructions from design engineers Clyde
E. Williams and Assoc. **12 was an item
transferred from Contract 85-XP-4 as
required - extra depths to meet proposed
state highway project and the
elimination of grade conflicts with
drainage tile. **15 was required to
eliminate a grade conflict with drainage
tile in area of connection to 85-XP-6.
**16 is for repairs to tile along
reroute.

involving a net increase of Thirty-Three Thousand
Seventy-Nine and 40/100 Dollars (\$33,079.40), all as more
particularly set forth in the specifications, and which is
on file with the Office of the Board of Public Works and
Safety and is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Burns, seconded by Stier, and duly adopted, placed on its

passage. PASSED by the following vote:

AYES: Eight

Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-215-86 on the 23rd day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 26th day of December, 1986, at the
hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of
December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-11

SPECIAL ORDINANCE NO. S-216-86

AN ORDINANCE approving Contract for Industrial Road-Ley Road Storm Sewer, Res. 413-85, between the City of Fort Wayne, Indiana and Land Excavating, Inc., in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Industrial Road-Ley Road Storm Sewer, Res. 413-85, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and Land Excavating, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

the Contract for Sewer Improvement Project is described as per the attached Resolution;

the Contract price is One Hundred Thirty-Nine Thousand Six Hundred and No/100 Dollars (\$139,600.00).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on November 25, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance

No. S-216-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-12

SPECIAL ORDINANCE NO. S-217-86

AN ORDINANCE approving Contract for Eastland Gardens-Woodland Acres-Stinson's Subdivision, Res. 900-86, Storm Sewer Improvement Project, between the City of Fort Wayne, Indiana and John Dehner, Inc. in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the annexed Contract for Eastland Gardens-Woodland Acres-Stinson's Subdivision, Res. 900-86, Storm Sewer Improvement Project, between the City of Fort Wayne, by and through its Board of Public Works and Safety, and John Dehner, Inc., is hereby ratified, and affirmed and approved in all respects. The work under said Contract requires:

improvements per the attached Resolution;

the Contract price is One Million Five Hundred Ninety-Nine Thousand Two Hundred Nine and 15/100 Dollars (\$1,599,209.15).

SECTION 2. Prior Approval was received from Common Council with respect to this Contract, on November 25, 1986. Two (2) copies of the Contract, attached hereto, are on file with the City Clerk, and are made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-217-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-13

SPECIAL ORDINANCE NO. S-218-86

AN ORDINANCE approving City Utilities Purchase Order #A-54887, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Anthony Wayne Services, for all Civil City and City Utilities Printing requirements for 1987

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order #A-54887, between the City of Fort Wayne, by and through its City Utilities, and the Department of Purchasing with Anthony Wayne Services, for all Civil City and City Utilities Printing requirements for 1987, respectfully for:

approving the award of Reference #800 with respect to the contracting of services involved in the Printing requirements of all Civil City and City Utilities Departments; this will be a Blanket Purchase Order and printing will be ordered only as needed;

involving a total cost of Forty-Five Thousand Seven Hundred Six and 16/100 Dollars (\$45,706.16), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-218-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-15

SPECIAL ORDINANCE NO. S-219-86

AN ORDINANCE fixing the compensation
of elected officials for the City of
Fort Wayne, Indiana, for the
year 1987

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, is required to pass an ordinance fixing the salaries of elected officials in accordance with I.C. 36-4-7-2;

WHEREAS, this Ordinance applies to all elected officials of the City of Fort Wayne, Indiana, to-wit: The Mayor; all members of the Common Council and the City Clerk; and

WHEREAS, any and all such raises for elected City Officials (if any) should be commensurate with raises granted to other City employees generally.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following salaries are hereby fixed for the year 1987 with respect to the City' elected officials:

three 1987	The Mayor	An increase of no more than percent (3%), bringing the maximum to \$54,075.00
three	Common Council Members	An increase of no more than percent (3%) bringing the 1987 maximum to \$9,539.00
three 1987	City Clerk	An increase of no more than percent (3%), bringing the maximum to \$31,039.00

SECTION 2. This Ordinance shall be published in accordance with I.C. 5-3-1-2, et seq., with the first publication at least thirty (30) days before final passage by Common Council.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and upon due publication thereof.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six

Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico

NAYS: One

Burns

ABSTAINED: None

ABSENT: Two

Bradbury, Henry

DATE: 12-30-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-219-86 on the 30th day of December, 1986

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 5th day of January, 1987, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 5th day of January, 1987, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-06-10 (AS AMENDED)

ZONING ORDINANCE NO. Z-16-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. U-18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A (Limited Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

A tract of land in the Northeast quarter of Section 33, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section 33; thence South 00 degrees 46 minutes 00 seconds West (assumed) a distance of 1050.0 feet; thence North 89 degrees 14 minutes 00 seconds West a distance of 29.0 feet to the Southeast corner of The Hollows, a recorded subdivision in said Section 33; thence South 82 degrees 18 minutes 04 seconds West a distance of 110.40 feet along the Southerly boundary of The Hollows; thence continuing along said Hollow's Southerly boundary South 63 degrees 19 minutes 20 seconds West a distance of 210.0 feet; thence departing from said subdivision's Southerly boundary South 00 degrees 46 minutes 00 seconds West parallel to the East line of the Northeast Quarter of said Section 33 a distance of 84.51 feet to the Point of Beginning; thence South 00 degrees 46 minutes 00 seconds West a distance of 191.74 feet; thence South 87 degrees 57 minutes 47 seconds West, parallel to Brandy Cove, a dedicated street, a distance of 129.24 feet to the West line of a 55 feet drainage easement for the Pearson Drain; thence North 09 degrees 29 minutes 00 seconds East along said Pearson Drain easement a distance of 144.01 feet to a line parallel to and 75.00 feet Southeasterly of the Southerly boundary line of the aforementioned Hollows subdivision; thence North 63 degrees 19 minutes 20 seconds East along said parallel line a distance of 120.86 feet to the Point of Beginning containing 0.445 acres more or less and subject to the Pearson Drain Easement and all other

and the symbols of the City of Fort Wayne Zoning Map No. U-18, as established by Section 11 of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Bradbury

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. Z-16-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-10-14 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-17-86

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. E-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B (Limited Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

PARCEL "A"

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northwest corner of said Northeast Quarter; thence S 90 degrees 00 minutes E (adjoining deed bearing and is used as the basis for the bearings in this description), on and along the North line of said Northeast Quarter, being within the right-of-way of Illinois Road, a distance of 1701.33 feet; thence S 00 degrees 03 minutes 45 seconds W, a distance of 285.0 feet to the true point of beginning; thence S 90 degrees 00 minutes E and parallel to said North line, a distance of 255.0 feet; thence S 00 degrees 03 minutes 45 seconds W, a distance of 816.75 feet; thence N 90 degrees 00 minutes W, a distance of 255.0 feet; thence N 00 degrees 03 minutes 45 seconds E, a distance of 816.75 feet to true point of beginning, containing 4.781 acres of land, subject to all easements of record.

"PARCEL B"

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northwest corner of said Northeast Quarter; thence S 90 degrees 00 minutes E (adjoining deed bearing and is used as the basis for the bearings in this description), on and along the North line of said Northeast Quarter, being within the right-of-way of Illinois Road, a distance of 1701.33

45 seconds W, a distance of 285.00 feet
 thence S 90 degrees 00 minutes E and
 parallel to said North line, a distance
 of 255.0 feet to the true point of
 beginning; thence continuing S 90
 degrees 00 minutes E and parallel to
 said North line, a distance of 249.65
 feet; thence S 00 degrees 03 minutes
 52 seconds W, a distance of 258.0 feet;
 thence N 90 degrees 00 minutes W, a
 distance of 249.64 feet; thence N 00
 degrees 03 minutes 45 seconds E, a
 distance of 258.0 feet to the true point
 of beginning, containing 1.479 acres of
 land, subject to all easements of
 record.

and the symbols of the City of Fort Wayne Zoning Map No. E-2, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
 Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
 Burns, Eisbart, GiaQuinta, Henry, Redd,
 Schmidt, Stier, Talarico
 NAYS: None
 ABSTAINED: None
 ABSENT: One
 Bradbury

DATE: 12-23-86 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-17-86 on the 23rd day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
 City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
 City Clerk

Approved and signed by me this 29th day of December, 1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
 Mayor

BILL NO. Z-86-11-26

ZONING MAP ORDINANCE NO. Z-18-86

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby
designated an R-1 (Single Family Residential) District under the
terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana
of 1974;

Lots 1 through 15 and Lots 33 through 47
all in North Wildwood Addition.

and the symbols of the City of Fort Wayne Zoning Map No. N-14,
as established by Section 11 of Chapter 33 of the Code of the
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart,
seconded by Stier, and duly adopted, placed on its passage. PASSED
by the following vote:

AYES: Eight
Burns, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Bradbury

DATE: 12-23-86

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as Zoning Map Ordinance No. Z-18-86 on the 23rd
day of December, 1986.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 26th day of December, 1986, at the hour of 11:00 o'clock
A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 29th day of December, 1986,
at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-11-15

SPECIAL ORDINANCE NO. S-219-86

AN ORDINANCE fixing the compensation
of elected officials for the City of
Fort Wayne, Indiana, for the year 1987

WHEREAS, the Common Council fo the City of Fort Wayne,
Indiana, is required to pass an ordinance fixing the salaries
of elected officials in accordance with I.C. 36-4-7-2;

WHEREAS, this Ordinance applies to all elected officials
of the City of Fort Wayne, Indiana, to-wit: The Mayor; all
members of Common Council and the City Clerk; and

WHEREAS, any and all such raises for elected City Officials
(if any) should be commensurate with raises granted to other City
employees generally.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following salaries are hereby fixed for the
year 1987 with respect to the City' elected officials:

The Mayor An increase of no more that three percent
 (3%), bringing the 1987 maximum to \$54,075.00

Common Council An increase of no more that three percent
 (3%) bringing the 1987 maximum to \$9,539.00

City Clerk An increase of no more than three percent
 (3%), bringing the 1987 maximum to \$31,039.00

SECTION 2. This Ordinance shall be published in
accordance with I.C. 5-3-1-2, et. seq., with the first publication
at least thirty (30) days before final passage by Common Council.

SECTION 3. That this Ordinance shall be in full force
and effect from and after its passage and any and all necessary
approval by the Mayor and upon due publication thereof.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six
Eisbart, GiaQuinta, Redd, Schmidt,
Stier, Talarico
NAYS: One
Burns
ABSTAINED: None
ABSENT: Two
Bradbury, Henry

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-219-86 on the 30th day of December, 1986

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 5th day of January, 1987, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 5th day of January, 1987, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-86-12-33

RESOLUTION NO. R-99-86

A RESOLUTION of the Common Council
of the City of Fort Wayne, Indiana,
authorizing asbestos removal at
Hanna School

WHEREAS, the Common Council has approved of the
demolition of Hanna School and the contract with respect to
same;

WHEREAS, its has come to the attention of the
City that the School contains asbestos materials that need
to be removed, prior to demolition, to and for the benefit
of the citizens of this community; and

WHEREAS, the Board of Public Works and Safety of
the City has received quotes with respect to such asbestos
removal.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That approval is hereby given for
the City to contract with C.H.D.D. for asbestos removal at
Hanna School for a price of Eleven Thousand Three Hundred
Sixty-Five and No/100 Dollars (\$11,365.00).

SECTION 2. That this Resolution shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
GiaQuinta, seconded by Stier, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Seven
Burns, Eisbart, GiaQuinta, Redd,
Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, Henry

DATE: 12-23-86 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Resolution No. R-99-86 on
the 30th day of December, 1986.

ATTEST: (SEAL)

Sandra E. Kennedy Samuel J. Talarico
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort

Wayne, Indiana, on the 5th day of January , 1987, at the hour of 9:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 7th day of January, 1987, at the hour of 10:00 o'clock A.M.,E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-06-13

GENERAL ORDINANCE NO. G-01-87

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof

WHEREAS, a petition to vacate a public alley within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-74-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a public alley within the City of Fort Wayne, more specifically described as follows, to-wit:

Part of Volney Park Subdivision of the North Part of Lillie's Out Lot #31 to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at the Northwest corner of Lot #14 Volney Park Subdivision, said point being on the East right-of-way line of Winter Street; thence East along the North line of Lot #14, Lot #13 and the North line of vacated Tam Street, a distance of 275.0 feet; thence North along the East line of Lot #12 projected North, a distance of 12 feet to the Southeast corner of Lot #8 in Simon's Addition; thence West along the South line of Lot #8, #9, #10, #11, #12, and #13, in Simon's Addition, a distance of 275 feet to the Southwest corner of Lot #13 in Simon's Addition, said point also being on the East right-of-way line of Winter Street; thence South along said East right-of-way line, a distance of 12.0 feet to the point of beginning, containing 0.08 acres.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-01-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-11-27

GENERAL ORDINANCE NO. G-02-87

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a utility easement thereof

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereof; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-13; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

The West 15 feet of the East 152.15 feet of Lot 1, together with the West 15 feet of the East 152.15 feet of Lot 2 in Perry's Suburban Addition as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: One

Talarico
DATE: 1-13-87 Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-02-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy	Mark E. GiaQuinta
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-11-28

GENERAL ORDINANCE NO. G-03-87

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating portion of street thereof

WHEREAS, a petition to vacate a portion of public street within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereof; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-13; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of public street within the City of Fort Wayne, more specifically described as follows, to-wit:

That part of the right-of-way Beaver Avenue which lies East of Lots numbered 18, 42 and 43 in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said part being more particularly described as follows, to-wit:

Beginning at the Northeast corner of said Lot number 18; thence southerly, on and along the East lines of said Lots Numbered 18, 42 and 43, being also the West right-of-way line of said Beaver Avenue, a distance of 332.8 feet to the Southeast corner of said Lot Number 43; thence East, by a deflection angel let of 88 degrees 40 minutes and parallel to the South right-of-way line of Rudisill Boulevard, a distance of 60.02 feet to a point on the East right-of-way line of said Beaver Avenue; thence Northerly and parallel to the East line of said lots numbered 43, 42 and 18, a distance of 332.8 feet to the point of intersection of said East right-of-way line with the South right-of-way line of Rudisill Boulevard, thence West, on and along said South right-of-way line, a

beginning, subject to all easements of record.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-03-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. G-86-12-20

GENERAL ORDINANCE NO. G-04-87

AN ORDINANCE amending Chapter 17 of
the Municipal Code of the City of Fort
Wayne, Indiana of 1985, entitled
"Traffic Code"

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and
Sections of Chapter 17 of the Municipal Code of the City of
Fort Wayne, Indiana of 1985, are hereby amended as follows:

A. Schedule 1A, Section 21(B), as referred to
"Authorization of Traffic Signals", by deleting the
following:

DELETE:

TRAFFIC SIGNAL

Location

In front of Phelps Dodge Magnet Wire Company, 1302 East
Creighton Avenue.

G. Schedule 3, Section 46, "One Way Streets and
Alleys", by deleting the following:

DELETE:

ONE WAY STREETS

<u>Location</u>	<u>Direction</u>	<u>From</u>	<u>To</u>
Manito Boulevard Brooklyn Avenue	E/B	Wawonaissa Trail	

C. Schedule 5, Section 49, "Intersection Where
Stop Required", by adding thereto the following:

STOP INTERSECTIONLocation

Sawmill Woods Court--stop--for Sawmill Woods Drive
 Guildford Avenue--stop-- for Fox Avenue
 Huestis Avenue--stop--for Fox Avenue
 Nelson Street--stop--for Wall Street
 Thompson Avenue--stop--for Wall Street
 Fairlawn Pass--stop--for Glencairn Drive
 Stophlet Street--stop--for Reidmiller Avenue

D. Schedule 7, Section 90, "Parking Prohibited At All Times on Certain Streets", by adding thereto the following:

NO PARKING

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Greentree Court Oaklawn	E/S	Buchanan Street	Court
Oaklawn Court	S/S	Greentree Court	Smith
Street			
Smith Street Oaklawn	W/S	Buchanan Street	Court
McKinnie Circle ter- at McKinnie Avenue	N/S	East terminus at McKinnie Ave.	West minus
McKinnie Circle ter- at McKinnie Avenue	S/S	100 ft, South of the East terminus at McKinnie Ave.	West minus
Wheeler Street	N/S	Runnion Street	2 3 5
ft. West thereof			

E. Schedule 7, Section 90, "Parking Prohibited At All Times on Certain Streets", by deleting the following:

DELETE:

NO PARKING

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Oaklawn Court	S/S	350 ft. East of	2 0 0

ft. East

Greentree Court

thereof

F. Schedule 8, Section 90, "Parking Prohibited During Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 8:00 A.M. TO 5:00 P.M. WEEKDAYS ONLY

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Leroy Avenue State	B/S	Dodge Avenue	East Blvd.

G. Schedule 8, Section 90, "Parking Prohibited During Certain Hours On Certain Streets", by deleting the following:

DELETE:NO PARKING 3:00 P.M. TO 6:00 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Broadway Jefferson Boulevard	W/S	Berry Street	
Broadway Nuttman Avenue	W/S	Kinnaird Avenue	
Broadway Swinney Avenue	W/S	Michigan Avenue	
Broadway Kinnaird Avenue	W/S	Dewald Avenue	
Broadway Jefferson Boulevard	E/S	Sturgis Street	
Broadway ft.	E/S	Taylor Street	2 5 0 south

thereof

Broadway E/S 250 ft. South of
Wabash Taylor Street R.R.

Elevation

Broadway E/S Taylor Street
Stophlet
Street

H. Schedule 8, Section 90, "Parking Prohibited During Certain Hours On Certain Streets", by deleting the following:

DELETE:

NO PARKING 3:00 A.M. TO 6:00 A.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Broadway	E/S	Taylor Street	2 5 0
ft.			South

thereof

Broadway E/S 250 ft. South of
Wabash R. Taylor Street R.

Elevation

Broadway E/S Taylor Street
Stophlet
Street

I. Schedule 11, Section 93, "Parking Time Limited On Certain Streets" - 90 Minute Parking 8:00 a.m. to 6:00 p.m. by deleting the following:

DELETE:

90 MINUTE PARKING 8:00 A.M. TO 6:00 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Leroy Avenue	B/S	Dodge Avenue	Lynn
Avenue			

Pemberton Drive W/S East State 1 3 5
ft.

Boulevard

South

thereof

J. Schedule 12, Section 93(C), "Parking Time Limited On Certain Streets" - Two Hour Parking 8:00 a.m. to 6:00 p.m. by adding thereto the following:

TWO HOUR PARKING 8:00 A.M. TO 6:00 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Wallace Street	S/S	50 ft. East of	8 0
ft.		Calhoun Street	
Clinton			
Street			

K. Schedule 12, Section 93(c), "Parking Time Limited On Certain Streets", -Two Hour Parking 8:00 a.m. to 6:00 p.m. by deleting the following:

DELETE:

TWO HOUR PARKING 8:00 A.M. TO 6:00 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Berry Street	N/S	Barr Street	1 7 5
ft. East			
thereof			

L. Schedule 20, Section 93(F), "Parking Time Limited On Certain Streets" - 15 Minute Parking 8:00 a.m. to 6:00 p.m. by adding thereto the following:

15 MINUTE PARKING 8:00 A.M. TO 6:00 P.M.

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Berry Street	N/S	Barr Street	1 7 5
ft.			East

thereof

M. Schedule 27, Section 5(A), "Impaired Mobility Parking Commercial", by adding thereto the following:

IMPAIRED MOBILITY PARKING (COMMERCIAL)

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Lynn's Supermarket		230 ft. South	

Casselwood Shopping
Center, 3300
Paulding Road

of the South Curb
line of Paulding
Road in front of
3310 Casselwood
Shopping Center
(8 stalls)

N. Schedule 28, Section 5(B), "Impaired
Mobility Parking Residential", by adding thereto the
following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

<u>Location</u>	<u>Side</u>	<u>From</u>	<u>To</u>
900 Home Avenue ft. thereof	N/S	190 ft. West of Indiana Avenue	2 5 West
2101 Alabama ft. Avenue thereof	W/S	30 ft. North of Forest Avenue	2 0 North
400 West Butler ft. thereof	N/S	355 ft. East of Fairfield Avenue	2 0 East

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Bradbury, seconded by Talarico, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,
Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as General Ordinance No.
G-04-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City ClerkMark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-87-01-03

DECLARATORY RESOLUTION NO. R-01-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5011 Decatur Road Fort Wayne, Indiana 46806. (A & L Great Lakes Agricultural Labs, Inc., Petitioner)

WHEREAS, Petitioner has duly filed its petition dated December 17, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Part of the South half of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana; thence South along the East line of the NW1/4 of the SE1/4 of Sec. 28-31-12, a distance of 1276.46 feet to the Southeast corner of Centennial Industrial Park, Section III, and the Northeast corner of Centennial Industrial Park, Section VI, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence West with a deflection angle to the right of 89 degr. 45 min. 20 sec. along the South line of Centennial Industrial Park, Section III, and the North line of Centennial Industrial Park, Section VI, a distance of 1380.0 feet to the Southwest corner of Centennial Industrial Park, Section III, and the Northwest corner of Centennial Industrial Park, Section VI, and the true point of beginning; thence South with a deflection angle to the left of 89 degr. 45 min. 20 sec. along the West line of Conestoga Drive a distance of 67.20 feet; thence West with a deflection angle to the right of 89 degr. 45 min. 20 sec. a distance of 330.0 feet; thence North with a deflection angle to the right of 90 degr. 14 min. 40 sec. and parallel to the West line of Conestoga Drive; a distance of 257.08 feet; thence East with a deflection angle to the right of 88 degr. 15 min. 20 sec. a distance of 330.15 feet to a point on the West line

deflection angle to the right of 91
degr. 44 min. 40 sec. along the West
line of Conestoga Drive, a distance of
198.53 feet to the point of beginning,
containing 1.98 acres;; subject to
easement.

said property located in Centennial Industrial Park, just
West of Conestoga Drive, just South of Van Dyne Crotty
Corp.;

WHEREAS, it appears that said petition shall be
processed to final determination in accordance with the
provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of
Section 4, below, the property hereinabove described is
hereby designated and declared an "Economic Revitalization
Area" under I.C. 6-1.1-12.1. Said designation shall begin
upon the effective date of the Confirming Resolution
referred to in Section 3 of this Resolution referred to in
Section 3 of this Resolution and shall continue for one (1)
year thereafter. SAId designation shall terminate at the
end of that one-year period.

SECTION 2. That upon adoption of this
Resolution:

- (a) Said Resolution shall be filed with the Allen
County Assessor;
- (b) Said Resolution shall be referred to the
Committee on Finance and shall also be
referred to the Department of Economic
Development requesting a recommendation from
said department concerning the advisability
of designating the above designated area an
"Economic Revitalization Area";
- (c) Common Council shall publish notice in
accordance with I.C. 5-3-1 of the adoption
and substance of this Resolution and setting
this designation as an "Economic
Revitalization Area" for public hearing;
- (d) If this Resolution involves an area that has
already been designated an allocation area
under I.C. 36-7-14-39, then the Resolution
shall be referred to the Fort Wayne
Redevelopment Commission and said designation
as an "Economic Revitalization Area" shall
not be finally approved unless said
Commission adopts a resolution approving the
petition.

SECTION 3. That, said designation of the
hereinabove described property as an "Economic

Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of six (6) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,

Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-01-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 15th day of
January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. R-87-01-05

DECLARATORY RESOLUTION NO. R-02-87

A DECLARATORY RESOLUTION designating
an "Economic Revitalization Area"
under I.C. 6-1.1-12.1 for property commonly
known as 3011 Independence Drive, Fort
Wayne, Indiana 46808. (Avery
International Corporation, Petitioner)

WHEREAS, Petitioner has duly filed its petition
dated December 19, 1986, to have the following described
property designated and declared an "Economic Revitalization
Area" under Division 6, Article II, Chapter 2 of the
Municipal Code of the City of Fort Wayne, Indiana, of 1974,
as amended, and I.C. 6-1.1-12.1, to-wit:

Part of Section 28, Township 31 North,
Range 12 East, Allen County, Indiana,
more particularly described as follows:

Beginning at the Southeast corner of the
West Half of the Southeast Quarter of
Section 28, Township 31 North, Range 12
East, Allen County, Indiana; thence
West along the South line of the West
Half of the Southeast Quarter of Section
28-31-12, and the South Line of the East
Half of the Southwest Quarter of Section
28-31-12, a distance of 1475.0 feet;
thence North with a deflection angle to
the right of 89 degrees 54 minutes
20 seconds and parallel to the East line
of the West Half of the Southeast
Quarter of Section 28-31-12, a distance
of 701.45 feet; thence East with a
deflection angle to the right of 89
degrees 45 minutes 20 seconds and
parallel to the South line of Centennial
Industrial Park Section III, as recorded
in the plat thereof in the Office of the
Recorder of Allen County, Indiana, a
distance of 155.0 feet; thence North
with a deflection angle to the left of
89 degrees 45 minutes 20 seconds and
parallel to the East line of the West
Half of the Southeast Quarter of Section
28-31-12, a distance of 392.80 feet to
the point of beginning; thence
continuing North along aforementioned
line a distance of 277.20 feet to a
point on the South line of said
Centennial Industrial Park, Section 111,
thence East with a deflection angle to
the right of 89 degrees 45 minutes 20
seconds along the South line of
Centennial Industrial Park, Section III,
a distance of 880.0 feet; thence South
with a deflection angle to the right of
90 degrees 14 minutes 40 seconds
parallel to the East line of the West

28-31-12, a distance of 277.20 feet, thence West with a deflection angle to the right of 89 degrees 45 minutes 20 seconds parallel to the North line of Centennial Industrial Park, Section III, a distance of 880.0 feet to the point of beginning, containing 5.60 acres.

said property more commonly known as 3011 Independence Drive, Fort Wayne, Indiana 46808;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for three (3) years thereafter. Said designation shall terminate at the end of that three-year period.

SECTION 2. That upon adoption of this Resolution.

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for

28-31-12, a distance of 277.20 feet, thence West with a deflection angle to the right of 89 degrees 45 minutes 20 seconds parallel to the North line of Centennial Industrial Park, Section III, a distance of 880.0 feet to the point of beginning, containing 5.60 acres.

said property more commonly known as 3011 Independence Drive, Fort Wayne, Indiana 46808;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for three (3) years thereafter. Said designation shall terminate at the end of that three-year period.

SECTION 2. That upon adoption of this Resolution.

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";
- (c) Common council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of both real estate and personal property for

new manufacturing equipment.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12.1-3(b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
 Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
 Schmidt

DATE: 1-13-87 Sandra E. Kennedy
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-02-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Msyor

BILL NO. R-87-01-07

DECLARATORY RESOLUTION NO. R-03-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known 4007 Engleton, Fort Wayne, Indiana 46809. (Roehm Marine, Inc., Petitioner)

WHEREAS, Petitioner has duly filed its petition dated December 16, 1986, to have the following described property designated and declared an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1, to-wit:

Lot Number 10 except the South 250.0 feet in Engle Ridge North, an Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 44, pages 12-16 in the Office of the Recorder of Allen County, Indiana;

said property more commonly known as 4007 Engleton, Fort Wayne, Indiana 46809;

WHEREAS, it appears that said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 4, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 3 of this Resolution and shall continue for (1) one year thereafter. Said designation shall terminate at the end of that one-year period.

SECTION 2. That upon adoption of this Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

(d) If this Resolution involves an area that has already been designated an allocation area under I. C. 36-7-14-39, then the Resolution shall be referred to Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless and Commission adopts a resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall only apply to a deduction of the assessed value of real estate.

SECTION 4. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council fo teh above described recommendations and resolution, if applicable.

SECTION 5. Pursuant to I.C. 6-1.1-12-3 (b)(1), it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 6. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,
Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-03-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-32

SPECIAL ORDINANCE NO. S-01-87

AN ORDINANCE authorizing the City of Fort Wayne to make temporary loans for the use of the General Fund, the Park District Fund, the Police Pension Fund, and the Firemen's Pension Fund, in calendar year 1987 in anticipation of current taxes levied in the year 1986 and collectible in the 1987; authorizing the issuance of tax anticipation time warrants of the City to evidence those loans; pledging and appropriating the taxes to be received in those Funds to the payment of those tax anticipation time warrants including the interest thereon; and fixing a time when this Ordinance shall take effect

WHEREAS, the City Controller has represented and the Common Council now finds that there will be insufficient moneys in the City's General Fund to meet the current expenses of the City payable from that Fund prior to the 1987 distribution of taxes levied for the General Fund; and

WHEREAS, the 1987 distribution of taxes to be collected for the General Fund will amount to more than \$4,000,000 plus the interest cost of that temporary loan for the General Fund; and

WHEREAS, the Board of Park Commissioners for this City has represented and the Common Council now finds that there will be insufficient moneys in the Park General Fund to meet the current expenses of the Park District payable from that Fund prior to 1987 distribution of taxes levied for the Park General Fund; and

WHEREAS, the 1987 distribution of taxes to be collected for the Park General Fund will amount to more than \$350,000 plus the interest cost of that temporary loan for the Park District General Fund; and

WHEREAS, the Board of Trustees of the Fort Wayne Police Pension fund has represented and the Common Council now finds that there will be insufficient moneys in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other benefits payable from that Fund prior to the 1987 distribution of taxes levied for the Police Pension Fund; and

WHEREAS, the 1987 distribution of taxes collected for the Police Pension Fund will amount to more than \$550,000 plus the interest cost of that temporary loan for the Police Pension Fund; and

WHEREAS, the Board of Trustees of the Fort Wayne Firemen's Pension Fund has represented and the Common Council now finds that there will be insufficient moneys in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and

dependents of deceased members and other benefits payable from that Fund prior to the 1987 distribution of taxes levied for the Firemen's Pension Fund; and

WHEREAS, the 1987 distribution of taxes collected for the Firemen's Pension Fund will amount to more than \$550,000 plus the interest cost of that temporary loan for the Firemen's Pension Fund; and

WHEREAS, this Common Council hereby finds, determines and declares that it is necessary and proper for the City to make temporary loans for those Funds in anticipation of current tax revenues to be received by those Funds, being taxes which have been levied and are being collected in calendar year 1987; now, therefore:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne is authorized to borrow, on a temporary loan for the use and benefit of the General Fund of the City, the amount of Four Million Dollars (\$4,000,000) in anticipation of current tax revenues which have been levied and are being collected for said Fund in and for the fiscal year 1987, and to issue tax anticipation time warrants of the City to evidence that loan bearing interest at a rate or rates per annum not to exceed a maximum rate of ten per centum (10%) per annum, with that rate or those rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided. Those warrants shall be issued on the terms and conditions as provided herein and the interest accruing on the warrants to their date of maturity shall be added to and included in the face value of the warrants. Those warrants, including interest thereon, shall be payable from the General Fund and there is hereby appropriated and pledged to the payment of those warrants a sufficient amount of the current tax revenues to be received in said General Fund from the 1987 distribution of distribution of taxes for the General Fund to the "General Fund 010, Account No. 2020 - Tax Anticipation Warrants Payable" for the payment of the principal of the warrants evidencing such temporary loan, and to the "General Fund 010, City Controller Department 002, Account No. 4382 - Payment of Interest" for the payment of the interest on the warrants evidencing such temporary loan.

SECTION 2. The City of Fort Wayne is authorized to borrow, on a temporary loan for the use and benefit of the Park General Fund of the City, the amount of Three Hundred Fifty Thousand Dollars (\$350,000) in anticipation of current tax revenues which have been levied and are being collected for said Fund in and for the fiscal year 1987, and to issue tax anticipation time warrants of the City to evidence that loan bearing interest at a rate or rates per annum not to exceed a maximum rate of ten per centum (10%) per annum, with that rate or those rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided. Those warrants shall be issued on the terms and conditions as provided herein and the interest accruing on the warrants to their date of maturity shall be added to and included in the face value of the warrants.

Those warrants, including interest thereon, shall be payable from the Park General Fund and there is hereby appropriated and pledged to the payment of those warrants a sufficient amount of the current tax revenues to be received in said Park General Fund from the 1987 distribution of taxes for the Park General Fund to the "Park General Fund 121, Account No. 2020 - Tax Anticipation Warrants Payable" for the payment of the principal of the warrants evidencing such temporary loan, and to the "Park General Fund 121, Park Department 121, Account No. 4382 - Payment of Interest" for the payment of the interest on the warrants evidencing such temporary loan.

SECTION 3. The City of Fort Wayne is authorized to borrow, on a temporary loan for the use and benefit of the Police Pension Fund of the City, the amount of Five Hundred Fifty Thousand Dollars (\$550,000) in anticipation of current tax revenues which have been levied and are being collected for said Fund in and for the fiscal year 1987, and to issue tax anticipation time warrants of the City to evidence that loan bearing interest at a rate or rates per annum not to exceed a maximum rate of ten per centum (10%) per annum, with that rate or those rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided. Those warrants shall be issued on the terms and conditions as provided herein and the interest accruing on the warrants to their date of maturity shall be added to and included in the face value of the warrants. Those warrants, including interest thereon, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of those warrants a sufficient amount of the current tax revenues to be received in said Police Pension Fund from the 1987 distribution of taxes for the Police Pension Fund to the "Police Pension Fund 141, Account No. 2020 - Tax Anticipation Warrants Payable" for the payment of the principal of the warrants evidencing such temporary loan, and to the "Police Pension Fund 141, Police Pension Department 441, Account No. 4382 - Payment of Interest" for the payment of the interest on the warrants evidencing such temporary loan.

SECTION 4. The City of Fort Wayne is authorized to borrow, on a temporary loan for the use and benefit of the Firemen's Pension Fund of the City, the amount of Five Hundred Fifty Thousand Dollars (\$550,000) in anticipation of current tax revenues which have been levied and are being collected for said Fund in and for the fiscal year 1987, and to issue tax anticipation time warrants of the City to evidence that loan bearing interest at a rate or rates per annum not to exceed a maximum rate of ten per centum (10%) per annum, with that rate or those rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided. Those warrants shall be issued on the terms and conditions as provided herein and the interest accruing on the warrants to their date of maturity shall be added to and included in the face value of the warrants. Those warrants, including interest thereon, shall be payable from the Firemen's Pension Fund and there is hereby appropriated and pledged to the payment of those warrants a sufficient amount of the current tax revenues to be received in said Firemen's Pension fund from the 1987 distribution of taxes for the Firemen's Pension Fund to the "Firemen's

Pension Fund Account No. 2020 - Tax Anticipation Warrants Payable" for the payment of the principal of the warrants evidencing such temporary loan, and to the "Firemen's Pension fund 140, Firemen's Pension Department 440, Account No. 4382 - Payment of Interest" for the payment of interest on the warrants evidencing such temporary loan.

SECTION 5. The tax anticipation time warrants herein authorized for the General Fund, Park General Fund, Police Pension Fund and Firemen's Pension Fund (collectively herein referred to as the "Warrants") shall be issued in the aggregate principal amounts set forth in Sections 1, 2, 3 and 4 hereof; shall be dated the date of their issuance; shall mature on June 15, 1987; shall be issued in bearer form in such denominations as shall be requested by the original purchaser or original purchasers and approved by the City Controller, provided that the entire principal amount of any such borrowing may be represented by a single warrant; and shall be numbered as determined by the City Controller. The Warrants shall be executed in the name of the City of Fort Wayne by the Mayor, countersigned by the City Controller, and the corporate seal of the City shall be affixed thereto and attested by the City Clerk, provided, however, that all but one of those signatures may be facsimiles, and they shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

SECTION 6. The principal of and interest on the Warrants shall be payable, without deducting for the services of any paying agent, in Federal Reserve funds of the United States of America at the office of the City Controller or at the office of one or more banks or trust companies designated by the original purchaser or original purchasers and situated in a city or cities in which is located a Federal Reserve Bank or branch thereof, provided all such designations, if any, shall be approved by the City Controller after determining that the designation of any such paying agent will not endanger the funds or securities of this City and that proper safeguards are available for such purpose.

SECTION 7. The City Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, City Controller, and City Clerk are hereby authorized and directed to execute and deliver the Warrants to the purchaser or purchasers and take all other actions required in connection therewith in accordance with this Ordinance.

SECTION 8. The City Controller shall sell the Warrants at public sale in the manner set forth herein in integral multiples of One Hundred Thousand Dollars (\$100,000) or such lesser multiples as the City Controller may designate prior to the sale of the Warrants, the City Controller shall cause to be published a notice of sale one each week for two consecutive weeks in the Fort Wayne News-Sentinel and in the Fort Wayne Journal-Gazette, the first of each of such publications to be not less than fifteen days prior to the date fixed for the sale. In the discretion of the City Controller, the time Warrants representing each issue herein authorized may be delivered

at the same time or different times, pursuant to any agreement or understanding with respect to delivery by and between the City Controller and the original purchaser or purchasers of the Warrants.

SECTION 9. All proceeds of the sale of the Warrants shall be paid into the appropriate fund of the City and shall be used only for the purposes for which the current tax revenues anticipated are levied, including the payment of the costs of issuing and servicing the Warrants.

SECTION 10. The levy by this City of the specific current taxes anticipated by the Warrants is hereby acknowledged, confirmed and ratified. Those taxes are in an aggregate amount at least sufficient to provide funds to retire the Warrants at their respective maturities. The proceeds of the current taxes anticipated are to be applied to the extent required and as provided in this Ordinance to the payment of the Warrants at their respective maturities and are hereby pledged and appropriated for that purpose.

SECTION 11. The City hereby covenants that it will restrict the use of the proceeds of the Warrants in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time of the delivery of and payment for the Warrants, so that the Warrants will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986 and the applicable income tax regulations under that Section. The City Controller as the fiscal officer, or any other officer having responsibility for issuing the Warrants, is authorized and directed, alone or in conjunction with any of the foregoing or with any other officer or employee of or consultant to the City, to give an appropriate certificate of the City, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the City regarding the amount and use of the proceeds of the Warrants and the facts and estimates on which they are based, all as of the date of delivery of and payment for the Warrants. The City covenants that it will take all actions that may be required of it for the interest on the Warrants to be and remain excluded from gross income for federal income tax purposes, and will not take any actions which would adversely affect such exclusion, under the provisions of federal tax laws that apply to the Warrants including the provisions of the Internal Revenue Code of 1986 and applicable amendments thereto, and will, among other acts of compliance, apply the proceeds of the Warrants, restrict the yield on investments of, or on obligations acquired with, those proceeds, make timely rebate payments to the federal government, maintain books and records, and refrain from certain uses of the proceeds, all in such manner and if and to the extent necessary for the interest on the Warrants to continue to be and remain excluded from gross income for federal income taxation; and the City Controller and other appropriate officers are hereby authorized and directed to take any and all such actions, make such rebate payments and make or give such reports and certifications as may be appropriate to assure such exclusion of the interest.

SECTION 12. It is hereby found, determined and declared that all acts and conditions necessary to be done or

to exist precedent to an in the issuing of the Warrants in order to make them legal, valid and binding special obligations of this City have been performed and exist, or will at the time of delivery of the Warrants have been performed and exist, in regular and due form as required by law; and that the amount of indebtedness to be incurred by the issuance of the Warrants does not exceed any limitation of indebtedness as fixed by law or the amount of borrowing permitted by Section 36-4-6-19 of the Indiana Code.

SECTION 13. All resolutions and ordinances of the City in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 14. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSENT: One
Schmidt
ABSTAINED: None

DATE: 1-6-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-01-87, on the 6th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 7th day of January, 1987, at the hour of 8:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 7th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-15

SPECIAL ORDINANCE NO. S-02-87

AN ORDINANCE of the Common Council of
the City of Fort Wayne, Indiana,
further fixing salaries
of City employees

WITNESSETH:

WHEREAS, the Common Council is charged, by law with the responsibility of fixing and establishing salaries of City employees.

WHEREAS, the 1987 Salary Ordinance Number 124-86, as passed by the Common Council in the year 1986, referenced the fact that the City was in the process of collective bargaining with various employee groups;

WHEREAS, such collective bargaining has been completed with respect to employees represented by the Fraternal Order of Police (FOP), the International Union of Operating Engineers (IUOE), the Chauffeurs, Teamsters and Helpers (CTH), and the International Brotherhood of Firemen and Oilers (IBFO); and

WHEREAS, it is necessary for the Common Council to approve the payment of wages to these employees and, accordingly, this Ordinance is necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council of the City of Fort Wayne, Indiana, does hereby ratify, approve and fix salaries of those City employees in amounts, positions and effective dates, as indicated on the attached Exhibits. Specifically, the following are approved:

- A. Those employees represented by the Fraternal Order of Police (FOP), as indicated on the attached Exhibit "A", made a part hereof;
- B. Those employees represented by the International Union of Operating Engineers (UOE), as so indicated on the attached Exhibit "B", made a part hereof;
- C. Those employees represented by the Chauffeurs, Teamsters and Helpers (CTH), as indicated on the attached Exhibit "C", made a part hereof; and
- D. Those employees represented by the International Brotherhood of Firemen and Oilers (IBFO), as so indicated on the attached Exhibit "D", made a part hereof.

The effective dates, salary amounts and employees so covered, are as so indicated and referenced in the attached Exhibits and unless otherwise provided for therein,

shall become effective January 1, 1987.

It is noted that some Exhibits may reference the year 1988 and, in that regard, subsequent Council approval will have to be obtained for any payments beyond the year 1987.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-02-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.

BILL NO. S-86-12-16

SPECIAL ORDINANCE NO. S-03-87

AN ORDINANCE approving Civil City
Purchase Order #A-49568, with M.A.
Gaines Construction Co., Inc.,
for the Animal Control Department
of the City of
Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order
#A-49568, between the City of Fort Wayne, by and through its
Department of Purchasing and the Civil City Purchasing
Agent, with M.A. Gaines Construction Co., Inc., for the
Animal Control Department, respectfully for:

the Material, Labor and Construction of
an addition to the Animal Control
Shelter Facility, per the specifications
in Reference #1255, for the Animal
Control Department;

involving a total cost of Sixty-Seven Thousand Four Hundred
Eight-Seven and No/100 Dollars (67,487.00), all as more
particularly set forth in said Purchase Order and Reference
#1255, which is on file in the Office of the Department of
Purchasing, and is by reference incorporated herein, made a
part hereof, and is hereby in all things ratified, confirmed
and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage, and any and all
necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by
Eisbart, seconded by Stier, and duly adopted, placed on its
passage. PASSED by the following vote:

AYES: Seven
Bradbury, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico

NAYS: One
Burns

ABSTAINED:

ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance No.
S-03-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-17

SPECIAL ORDINANCE NO. S-04-87

AN ORDINANCE approving Civil City Purchase Order #A-49567, with the U.S. Standard Sign Company, for the Traffic Engineering Department of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order #A-49567, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with the U.S. Standard Sign Company, for the Traffic Engineering Department, respectfully for:

the purchase of additional Reflective Sign Faces for the Traffic Engineering Department, per the specifications in Reference #1188;

involving a total cost of Eighteen Thousand Four Hundred Thirty-Five and 44/100 Dollars (\$18,435.44), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-04-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-18

SPECIAL ORDINANCE NO. S- 05-87

AN ORDINANCE approving Civil City Purchase ORder #A-49583, with the IBM Corporation, for the Police Department Detective Bureau, of the City of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order #A-49583, between the City of Fort Wayne, by and through its Department of Purchasing and the Civil City Purchasing Agent, with the IBM Corporation, for the Police Department Detective Bureau, respectfully for:

the purchase of a copy machine for the Fort Wayne Police Department Detective Bureau, per the specifications in Reference #1268;

involving a total cost of Ten Thousand Three Hundred Fifty and No/100 Dollars (\$10,350.00), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd,

Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Talarico

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-05-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-19

SPECIAL ORDINANCE NO. S-06-87

AN ORDINANCE approving the awarding of reference #1269, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the International Salt Company for the City of Fort Wayne Street Department

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #1269, between the City of Fort Wayne, by and through its Department of Purchasing and the International Salt Company, for the City of Fort Wayne Street Department, respectfully for:

the purchase of Bulk Rock Salt, per the specifications of the City of Fort Wayne Street Department;

involving an estimated cost of Three Hundred Forty-Two Thousand Six Hundred and No/100 Dollars (\$342,600.00), all as more particularly set forth in said Reference #1269, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. GiaQuinta
Councilmember

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Brasdbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-06-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

511

BILL NO. S-86-12-26

SPECIAL ORDINANCE NO. S-07-87

AN ORDINANCE approving the awarding
of Reference #801, by the City
of Fort Wayne, Indiana, by and
through its Department of Purchasing and
Worthington Steel Company, for
the Water Pollution Control Plant

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Reference #801, between the City
of Fort Wayne, by and through its Department of Purchasing
and Worthington Steel Company, for the Water Pollution
Control Plant, respectfully for:

the purchasing of Liquid
Ferrous Sulfate/Chloride for
the Water Pollution Control
Plant;

involving an estimated cost of Twenty-Five Thousand Six
Hundred Sixty-Five and No/100 Dollars (\$25,665.00), all as
more particularly set forth in said Reference #801, which is
on file in the Office of the Department of Purchasing, and
is by reference incorporated herein, made a part hereof, and
is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Redd,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One
Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-07-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

513

BILL NO. S-86-12-27

SPECIAL ORDINANCE NO. S-08-87

AN ORDINANCE approving the Contract for Lakewood Park Addition Phase I - Water Contract 86-07, between Earth Construction and the City of Fort Wayne, Indiana in connection with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the Contract for Lakewood Addition Phase I - Water Contract 86-07, by and between Earth Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

the installation of 7,800 ± L.F. of 6" Ductile Iron Water Main as follows: On Interlaken Drive from Bluffton Road to Donna Drive. On Maywood Circle from Interlaken Drive to Reserve Drive Road. On Donna Drive from Reserve Line Road to a point 600 ± feet north of Interlaken Drive. On Lakewood Drive from Donna Drive to Reserve Line Road. On Reserve Line Road from Maywood Drive, northward to its northern terminus. On Fair Oak Drive from Maywood Circle to Liberty Drive. On Liberty Drive, from Fair Oak Drive to Bluffton Road;

the Contract price is Two Hundred Twelve Thousand Four Hundred Forty-Five and No/100 Dollars (\$212,445.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Redd,

seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance
No. S-08-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy Mark E. GiaQuinta
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 14th day of January, 1987, at the
hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of
January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-28

SPECIAL ORDINANCE NO. S-09-87

AN ORDINANCE approving Change Order
No. 1 - Res. 6048-86, Headwall
and Backwater Gate at Gruber Ditch
with John Dehner, Inc., in connection
with the Board of Public Works
and Safety of the City
of Fort Wayne, Indiana

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 - Res.
6048-86, Headwall and Backwater Gate at Gruber Ditch, with
John Dehner, Inc., in connection with the Board of Public
Works and Safety, for:

this Change Order is necessary because
on this particular job, these two items
were to be done by the Street
Department. Since they didn't have the
necessary equipment to perform the task
without renting it, it was more was more
cost effective to have John Dehner do
it. John Dehner had the equipment
on the job site, therefore there wasn't
a moving in cost;

involving a net increase of One Thousand Six Hundred and
No/100 Dollars (\$1,600.00), all as more particularly set
forth in the specifications, and which is on file with the
Office of the Board of Public Works and Safety and is by
reference incorporated herein, made a part hereof, and is
hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Redd,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One

516

Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-09-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-29

SPECIAL ORDINANCE NO. S-10-87

AN ORDINANCE approving Change Order No. 1 and Final for Wheatridge Addition, Sec. 1 Res. #180-86, with Weikel Line Co., Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 and Final for Wheatridge Addition, Sec. 1, Res. #180-86, with Weikel Line Co., Inc., in connection with the Board of Public Works and Safety, for:

this Change Order is necessary due to an increase of three lights that were mandated to meet field conditions and sound engineering practices. Due to the rerouting of pole lines because of pre-existing field conditions boring or pushing under trees and drives, a substantial amount was saved;

involving a net decrease of One Thousand Eight Hundred Eighty-Six and 40/100 Dollars (\$1,886.40), all as more particularly set forth in the specifications, and which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,

Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Schmidt

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-10-87 on the 13th day of January, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of
January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-30

SPECIAL ORDINANCE NO. S-11-87

AN ORDINANCE approving Contract
for Water Res. #1035-86, Garden
Park Drive Feeder Main, between
T-G Excavating, Inc., and the City
of Fort Wayne, Indiana, in connection
with the Board of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Water Res.
#1035-86, Garden Park Drive Feeder Main, by and between T-G
Excavating, Inc., and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works and Safety, for:

extensions in and along Garden Park
Drive from Clinton Street to its
terminus, in Concordia Gardens Addition;

the Contract price is One Hundred Seventy-Seven Thousand
Four Hundred Seventy-One and 45/100 Dollars (\$177,471.45),
all as more particularly set forth in said Contract, which
is on file in the Office of the Board of Public Works and
Safety and, is by reference incorporated herein, made a part
hereof, and is hereby in all things ratified, confirmed and
approved. Two (2) copies of said Contract are on file with
the Office of the City Clerk and made available for public
inspection, according to law.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by
Talarico, seconded by Talarico, and duly adopted, placed on
its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance No.

S-11-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy	Mark E. GiaQuinta
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. S-86-12-31

SPECIAL ORDINANCE NO. S-12-87

AN ORDINANCE approving the Contract
for Ludwig Park Drive Water Main
Connection, Res. 1036-86, between Earth
Construction and the City of Fort Wayne,
Indiana, in connection with the Board
of Public Works and Safety

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Ludwig Park
Drive Water Main Connection, Res. 1036-86, by and between
Earth Construction and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works and Safety, for:

extensions in and along Ludwig Park
Drive from the east property line of Lot
45, eastward to the west property line
of Lot 35, Ludwig Park Addition;

the Contract price is Eight Thousand Three Hundred
Fifty-Four and 50/100 Dollars (\$8,354.50), all as more
particularly set forth in said Contract, which is on file in
the Office of the Board of Public Works and Safety and, is
by reference incorporated herein, made a part hereof, and is
hereby in all things ratified, confirmed and approved. Two
(2) copies of said Contract are on file with the Office of
the City Clerk and made available for public inspection,
according to law.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and any and all
necessary approval by the Mayor.

Paul M. Burns
Councilmember

Read the third time in full and on motion by Redd,
seconded by Stier, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: One
Schmidt

DATE: 1-13-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Special Ordinance No.
S-12-87 on the 13th day of January, 1987.

ATTEST: (SEAL)

522

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of January, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

BILL NO. Z-86-12-23

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 (Light Industrial) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana:

Lots 1 through 6 Rinehart's Addition as
recorded in Deed Record 10, Page 2 and
Lots 1 through 5 Spereisen's Addition as
recorded in Deed Record 10, Page 9, to
the City of Fort Wayne, Allen County,
Indiana,

and the symbols of the City of Fort Wayne Zoning Map No.
L-2, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval by
the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Bradbury, seconded by Talarico, and duly adopted, placed on
its passage. LOST by the following vote:

AYES: None

NAYS: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,

Stier, Talarico

ABSENT: One

Schmidt

ABSTAINED: None

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

524
BILL NO. Z-86-12-23

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 (Light Industrial) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana:

Lots 1 through 6 Rinehart's Addition as
recorded in Deed Record 10, Page 2 and
Lots 1 through 5 Spereisen's Addition as
recorded in Deed Record 10, Page 9, to
the City of Fort Wayne, Allen County,
Indiana,

and the symbols of the City of Fort Wayne Zoning Map No.
L-2, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval by
the Mayor.

Ben A. Eisbart
Councilmember

Read the third time in full and on motion by
Bradbury, seconded by Talarico, and duly adopted, placed on
its passage. LOST by the following vote:

AYES: None

NAYS: Eight

Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd,

Stier, Talarico

ABSENT: One

Schmidt

ABSTAINED: None

DATE: 1-13-87

Sandra E. Kennedy
City Clerk

A.E. Boyce Co. INC.

300 EAST JACKSON STREET
MUNCIE, INDIANA 47302
PHONE 317/289-2233
TOLL FREE 1-800-382-8702

MB135

PLEASE USE THE NUMBER BELOW WHEN REORDERING

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JOB NO. *P4231*

